

# THE MONTHLY CHRONICLE.

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AUGUST, 1842.

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## ARTICLE XII.

### THE OREGON TERRITORY.

[With a Map.]

KING JAMES I., in the year 1620, by charter incorporated a company, consisting of forty noblemen and gentlemen, by the name of "the Council established at Plymouth," and granted to them all that part of the continent of North America which extends from the 40th to the 48th parallel of north latitude, and from the Atlantic to the Pacific Ocean, "throughout all the main land from sea to sea." The Plymouth Council, a few years afterwards, conveyed a portion of the territory thus granted to them to another company, namely, all that part bounded on the north by a line drawn three miles north of the Merrimack river, and on the south by a line three miles south of the Charles River, and of every part thereof; each of these lines running from the Atlantic Ocean on the east, to the South Sea or Pacific Ocean on the west. King Charles I. subsequently, namely, March 4, 1628, by a charter to this last-named company, confirmed this grant of the Council of Plymouth, and conferred in addition upon the grantees certain political privileges. This was the foundation of the Massachusetts Colony. The Council of Plymouth subsequently surrendered their charter, and became extinct. Some years later, in 1662, Charles II. by charter to the colony of Connecticut, besides securing to them political privileges and powers of government, granted to them all the territory bounded on the north by the Massachusetts colony, and on the south by the sea, extending from Narragansett bay on the east to the South Sea or Pacific Ocean on the west. These grants, in their terms, had a much broader

extent towards the west, than the title of the grantor. They were besides very early greatly curtailed by the conflicting claim of the colony of New York; the limits of the two colonies were thus confined to an insignificant portion of their original dimensions.

It is singular, that after these two colonies had become members of the American Union, with a jurisdiction so far reduced in extent, the Union should have become, by virtue of the treaty of peace by which their independence was acknowledged by Great Britain, by the purchase of the province of Louisiana, and by the discoveries of our mariners on the western shore of the Pacific, possessed of the whole wide tract of territory, through which the original grant to Massachusetts extended.

The claims of Massachusetts and Connecticut to all that portion of the territory embraced in their respective charters beyond the present actual limits of the two states, and within the original boundaries of the United States, east of the Mississippi, were long ago ceded to the United States. It is too late to revive their claims to those portions of the territory which lie west of the Mississippi, and if it were not, it would doubtless be met by a denial of the right of the original grantor. Although the crown of Great Britain claimed the right, by the charters which we have cited, of making grants of land and jurisdiction extending "throughout the main lands from sea to sea," it subsequently, by the treaty of Utrecht, conceded the right of France to a portion of the intervening territory, and still later, by the treaty of Paris, in 1763, agreed to establish the middle of the river Mississippi, from its source to the river Ibberville, as the western boundary of the British possessions, and by the same treaty acknowledged the claim of France to the territory west of that river. By the purchase of Louisiana from France, in 1803, the United States acquired a title to the wide regions watered by the western branches of the Mississippi, extending to the Rocky Mountains. Within the territory thus purchased, three States have been already established, and admitted to the American Union, and a fourth will soon be added to the number. The boundaries of this territory on the side of the late Spanish provinces, Texas and Mexico, were settled by treaty with Spain in 1818, and in this settlement the line of boundary was determined, not only as far as the Louisiana purchase extended, but "throughout the main lands," as our original charters express it, to the Pacific Ocean. By this treaty the western and southern boundary of the United States is defined to be by the river Sabine to the 32d degree of north latitude; thence due north to the Red river; thence by the Red river to the 100th degree of west longitude; thence due north to the river Arkansas; thence by said river to its source in the 42d degree of

north latitude ; and thence by that parallel of latitude to the Pacific Ocean. The southern limit of the United States west of the Rocky Mountains is thus made to correspond, probably by an accidental coincidence, with the southern line of Massachusetts, had it been extended in conformity with the charter of Charles I., from a point three miles south of the most southerly part of Charles river, in a direction due west to the Pacific Ocean.

The northern boundary of the United States was determined by the treaty of peace of 1783, from the northwest angle of Nova Scotia on the east, to the northwest point of the Lake of the Woods on the west. Subsequent negotiations have been held for the definite adjustment of this line, in conformity with the determination in the treaty. It was further agreed, by the convention of October 20, 1818, between Great Britain and the United States, that the 49th parallel of latitude should be the line of demarcation of their respective territories, from the northwestern point of the Lake of the Woods to the Stony Mountains. From the Stony Mountains to the Pacific Ocean, the line of boundary between the territories of the United States and the British possessions of Hudson's Bay, the line of boundary has never been determined. In the year 1826, the government of the United States, by direction of Mr. Clay, who was then Secretary of State, proposed as its ultimatum, to that of Great Britain, to adopt the same 49th parallel of latitude, as the line between their respective territories, from the Rocky Mountains to the Pacific Ocean ; but this proposition was declined by the latter, which proposed in their turn that "the boundary between the territories of Great Britain and those of the United States west of the Rocky Mountains, should be a line drawn from those mountains westward along the 49th parallel to the nearest head-waters of the Columbia, and thence down the middle of that stream to its termination in the Pacific, the British possessing the country north and west of such line, and the Americans that on the other side." This proposal the United States rejected, and in 1827 Mr. Gallatin, the American minister, was directed to give notice that "the American government did not hold itself bound hereafter, in consequence of any proposal which it had made for a line of separation between the territories of the two nations, beyond the Rocky Mountains, but would consider itself at liberty to contend for the full extent of the claim of the United States." The question of boundary in this quarter thus remains to this day unadjusted.

The question of right in the territory bordering on the river Columbia and its tributaries, has been much discussed. The United States claim that territory by right of prior discovery, and they claim also a right of extension of their territory throughout

the western part of the continent, as far north as the 49th parallel of latitude, as successors of France and Spain, by virtue of the Louisiana and Florida treaties. They maintain, that by virtue of the treaty of Utrecht, concluded between Great Britain and France in 1713, commissioners were appointed, who established the 49th parallel of latitude as the boundary line between the Hudson's Bay territories on the north, and the French possessions on the south; and also that by virtue of the treaty of Versailles, of 1763, which recognizes the Mississippi river, from its source, as the western boundary of Louisiana, its claim indefinitely westward to an equal extension towards the north is conceded, on the same principle that the claim of Great Britain for the extension of the Hudson Bay territory towards the south, is conceded to the same latitude.

By the treaty of Florida, concluded February 22, 1819, between the United States and the king of Spain, the latter ceded to the United States all his rights, claims, and pretensions to any territory north of the 42d degree of latitude. Under this stipulation, the United States succeed to any claim which can be made to territory on the coast of the Pacific north of that latitude, by virtue of discoveries by Spanish navigators. Some claims have been set up on this ground. As early as the year 1543, two Spanish vessels under the command of Cabrillo, and his successor, Ferrelo, made discoveries on the northwest coast, as far north as the 43d or 44th degree of latitude; and in 1603, Viscaino made a more minute examination of the same coast, without pushing his discoveries any further north. In 1592, Juan de Fuca proceeded as far north as latitude 48, and discovered and sailed through the straits in that latitude, which bear his name. In 1774 and 1775, several expeditions were undertaken by the Spaniards for extending their dominions north of California. Juan Perez, in 1774, advanced north to the 54th degree, and thence sailed towards the south, examining the coast to 49 1-2 degrees, where he discovered a commodious bay, now called Nootka Sound, to which he gave the name of San Lorenzo, at which place he remained some time, trading with the natives, it being the first visit made by Europeans on this part of the coast. This was four years before the visit to the same place by Captain Cook, who gave to it the name of King George's Sound. In the following year another expedition, fitted out from San Blas, explored the coast as far north as latitude 58, and saw the entrance of the strait discovered by de Fuca. One of the vessels, under command of Heceta, sailed to the south and discovered a promontory called by him San Roque, now called Cape Disappointment, and forming the northern point of the entrance to the Columbia river. The other vessel, under



Bodega and Manrelle, sailed to the north as far as the 57th degree, and landed in a bay which they called Port Remedios, and formally took possession of the country, with religious ceremonies, in the name of their sovereign.

In March, 1778, Captain Cook, in command of a discovery ship fitted out by order of the British Admiralty, arrived on the coast of New Albion, and on the 29th of that month entered the harbor of Nootka Sound, which had been previously visited by Juan Perez in 1774. This name of New Albion had been given to this coast in consequence of the visit of Sir Francis Drake, who visited the Pacific as early as the year 1578, and plundered a number of the Spanish towns; but he proceeded no further north than the 42d or 43d degree of latitude, to which point his visit had been anticipated by Ferrelo, as above mentioned. Captain Cook, having remained a month at Nootka Sound, proceeded to the northward, and having discovered in latitude 61 degrees 30 min. a large river, to which was afterwards given his own name, he sent a party on shore, hoisted the British flag, and took possession of the coast in the king's name. Subsequently, in 1789, Don Esteban Martinez, with two Spanish vessels, proceeded to Nootka Sound for the purpose of making a settlement, and constructed the fort of San Miguel on an island there. Two months afterwards, the English ship *Argonaut*, fitted out by a trading company in England, called the *King George's Sound Company*, and commanded by Captain Colnet, arrived and took possession of Nootka Sound, for the purpose of monopolizing the trade of the place. A dispute arose as to the right of possession, which ended in Martinez' arresting Colnet, and sending him to San Blas. Martinez was supported by other Spanish vessels, sent from Mexico. This proceeding gave rise to the celebrated Nootka Sound controversy, which came near involving England and Spain in a new war. The dispute was settled by a convention, by which Nootka Sound was restored to the English subjects, who had been dispossessed. The effect of this convention upon the claims of the parties to the adjoining territories, as resulting from the right of first discovery, involves a question which we do not deem it important here to consider. We merely observe, that it has been remarked in reply to the claim which has been rested on this surrender, that the British can claim under it nothing more than the territory actually surrendered. This is described in the order of Count Florida Blanca, dated May 12, 1791, in the following words: "The buildings and districts or parcels of land which were occupied by the subjects of that sovereign in April, 1789, as well in the port of Nootka Sound or of St. Lawrence, as in the other, said to be called Port Cox, and to

be situated about sixteen leagues distant from the former, to the southward; and that such parcels or districts of land, of which the English subjects were dispossessed, be restored to the said officer."

Down to this period no discovery had been made of Columbia river, or the adjoining territories, with the exception of the cape at the northern entrance of the river, as above mentioned. It does not appear that the British navigator had landed on any part of the coast south of Nootka Sound and Port Cox. Captain Cook obtained sight of the coast in latitude 44 deg. 10 min. north, March 7, 1778, but was prevented by tempestuous weather from effecting a landing, until he reached Nootka Sound, as above stated. In the year 1787, six merchants of Boston and Salem, Joseph Barrell, Samuel Brown, Charles Bulfinch, John Derby, Crowell Hatch, and John M. Pintard, fitted out two vessels, the ship *Columbia*, Captain John Kendrick, and the sloop *Washington*, Captain Gray, for a voyage to the northwest coast of America, for the purpose of trading with the natives in furs. They sailed from Boston in October in that year. The *Columbia* arrived at Nootka Sound on the 16th of September, 1788, and the *Washington* soon afterwards. Captain Gray, while on the coast, sailed some way up the strait of Juan de Fuca. The two masters exchanged vessels, and Captain Gray proceeded with the furs which they had collected to Canton, and thence to Boston, leaving Captain Kendrick in the *Washington* on the coast. Captain Gray was despatched on a second voyage in the *Columbia* to the northwest coast, and on the 7th of May, 1792, he came in sight of land in latitude 46 deg. 58 min., and anchored in what he called Bulfinch's Harbor. On the 11th of May he entered a large river, and on the 14th sailed about fourteen miles up the river, and remained there until the 21st. To this river he gave the name of his ship, to the north side of the entrance the name of Cape Hancock, and to the south that of Point Adams. This being the first entrance and exploration of the river Columbia by the subjects of a civilized power, it gives to the United States all the right of sovereignty arising from first discovery, unless that right be conceded to Heceta, who had previously discovered the northern cape; and in that case the right of Spain thus acquired devolves on the United States by virtue of the cession from the king of Spain by the article of the Florida treaty above mentioned.

Subsequently, in the same year, Captain Vancouver, a British officer in command of an expedition of discovery, visited Columbia river. He arrived on the northwest coast in April, 1792, where he fell in with the ship *Columbia*, Captain Gray, by whom

he was informed of the discovery of a river in latitude 46 degrees 10m. In October of the same year, as he relates in his journal, after leaving Nootka Sound, and proceeding south, the serenity of the weather tempted him "to reëxamine the coast of New Albion, and particularly a river and a harbor discovered by Mr. Gray, in the Columbia, between the 46th and 47th degrees of north latitude." Here is a distinct admission by the first British explorer of this part of the coast, of its prior discovery by an American navigator.

Capt. Alexander Mackenzie, a British subject, in the course of his extensive tour through the northern parts of the American continent, arrived in December, 1793, on Pearl river, in latitude 56 degrees 9m. north, and longitude 117 degrees 35m. west, and there passed the winter. In the following May he ascended Pearl river, and on the 17th came in sight of the Rocky Mountains. He pursued his course westward towards the Pacific, and crossed these mountains. Coming to a large river, he descended for several days in a canoe, but finding the navigation difficult, he determined to make an effort to reach the ocean by land. He therefore returned some distance upon the river, which he left July 4, resolving to take the shortest direction to the ocean, which he reached in latitude 52 degrees 23m. on the 22d of the same month. It has been maintained that the river which he thus navigated for some days was a branch of the Columbia; but this seems to be questionable, as none of the sources of that river are found north of latitude 54, and this in a direction south of Pearl river, whereas Mackenzie was pursuing a westerly course with a view of reaching the ocean. This course would not have led him so far south as the Columbia, and had he been upon that river, it is not supposable that he could have travelled from any point of that river between the 4th and the 22d of July. It is, therefore, pretty safely inferred, that Mackenzie did not see the Columbia river. If he did, his discovery was a year later than that of Captain Gray.

In the year 1805, Captains Lewis and Clarke, in charge of an expedition fitted out under the direction of the Government of the United States, and under special instructions from Mr. Jefferson, then President of the United States, ascended the river Missouri, and crossed the Rocky Mountains, for the purpose of exploring the Columbia river, from its source to its mouth in the Pacific Ocean. These travellers crossed the mountains early in October, descended the Lewis river in canoes to its junction with the Columbia, and thence descended this latter river to its mouth, on the Pacific, which they reached on the 14th of November. Having selected a convenient site, they erected houses for their accommodation, together with a fort for their protection during the winter.

In March following they left their winter habitation, on their return to the United States, having first given certificates to several of the chiefs, and posted up notice of their possession of the place. On their return, Capt. Lewis carefully examined Clarke's river, and its principal branches, while Captain Clarke passed over to the Yellow Stone, and descended that river to its junction with the Missouri, where the two parties reunited, and proceeded on their return to Washington.

By the publication of the travels of Lewis and Clarke, the character of this country, and the practicability of reaching it by a land journey, were made known to the American people. The advantage of the fur trade to that country soon attracted attention. The Missouri Fur Company was formed at St. Louis in 1808, by whom several trading posts were established on the Upper Missouri, and one was established beyond the Rocky Mountains, on the head waters of the Lewis, the southern branch of the Columbia. This post was continued until 1810. About this period an association was formed at New York, called the Pacific Fur Company, of which Mr. John Jacob Astor was the principal member, for the prosecution of the fur trade, by means of an establishment at the mouth of the Columbia river. A party was despatched from New York in the ship *Tonquin*, which, after a successful voyage by way of Cape Horn, arrived at the mouth of the Columbia, in March 1811. They established their principal factory on the south bank of the river, and gave it the name of Astoria. This party was soon after joined by another, which proceeded by the inland route from St. Louis. The agents of this company continued to occupy the posts at Astoria, and various minor establishments on the river, for hunting and trading with the natives, until October 16, 1813. The United States being at this time at war with Great Britain, and the managers of the establishment at Astoria having received information that a British force was approaching for the purpose of forcibly dispossessing them, for the preservation of the property, they made a sale of all the establishments, furs, and property to the British Northwest Company. Soon after this transfer of property, in December, 1813, the *Raccoon*, British sloop-of-war, arrived at Astoria, and Captain Black took possession, and substituting the English for the American flag, changed the name of the post to Fort George.

By the treaty of Ghent, which followed in the next year, it was stipulated that all territory, places, and possessions whatsoever, taken by either party from the other during the war, should be "restored without delay." By virtue of this stipulation, the settlement of Fort George on the Columbia river was, on the 6th of October, 1818, in due form, restored to the government of the





# UNITED STATES TERRITORY OF OREGON

West of the Rocky Mountains,

*Exhibiting the various Trading Depots or Forts  
occupied by the British Hudson Bay Company con-  
nected with the Western and northwestern Fur Trade.*

*Compiled in the Bureau of Topographical  
Engineers from the latest authorities under  
the direction of Col. J.J. Abert. by*

*Wash: Hood.*

**1838.**

*M.H. Stansbury del.*

*W.J. Stone Sc. Wash?*

PACIFIC

*The prolongation of the 49<sup>th</sup> parallel of latitude from the Rocky Mountains to the Pacific has been assumed as the Northern Boundary of the U.S. States possessions on the N.W. coast, in consequence of the following extract from the Hon. H. Clays letter to Mr. Gallatin dated June 19<sup>th</sup> 1826. (see Doc. 199. 20<sup>th</sup> Cong. 1. sess. Ho. of R.) You are then authorised to propose the annulment of the third article of the Convention of 1818, and the extension of the line on the parallel of "49 from the eastern side of the Stony Mountains, where it now terminates, to the Pacific Ocean as the permanent boundary" between the territories of the two powers in that quarter. This is "our ultimatum and so you may announce it."*

*The Posts of the British Hudsons Bay Company are marked thus. ○*

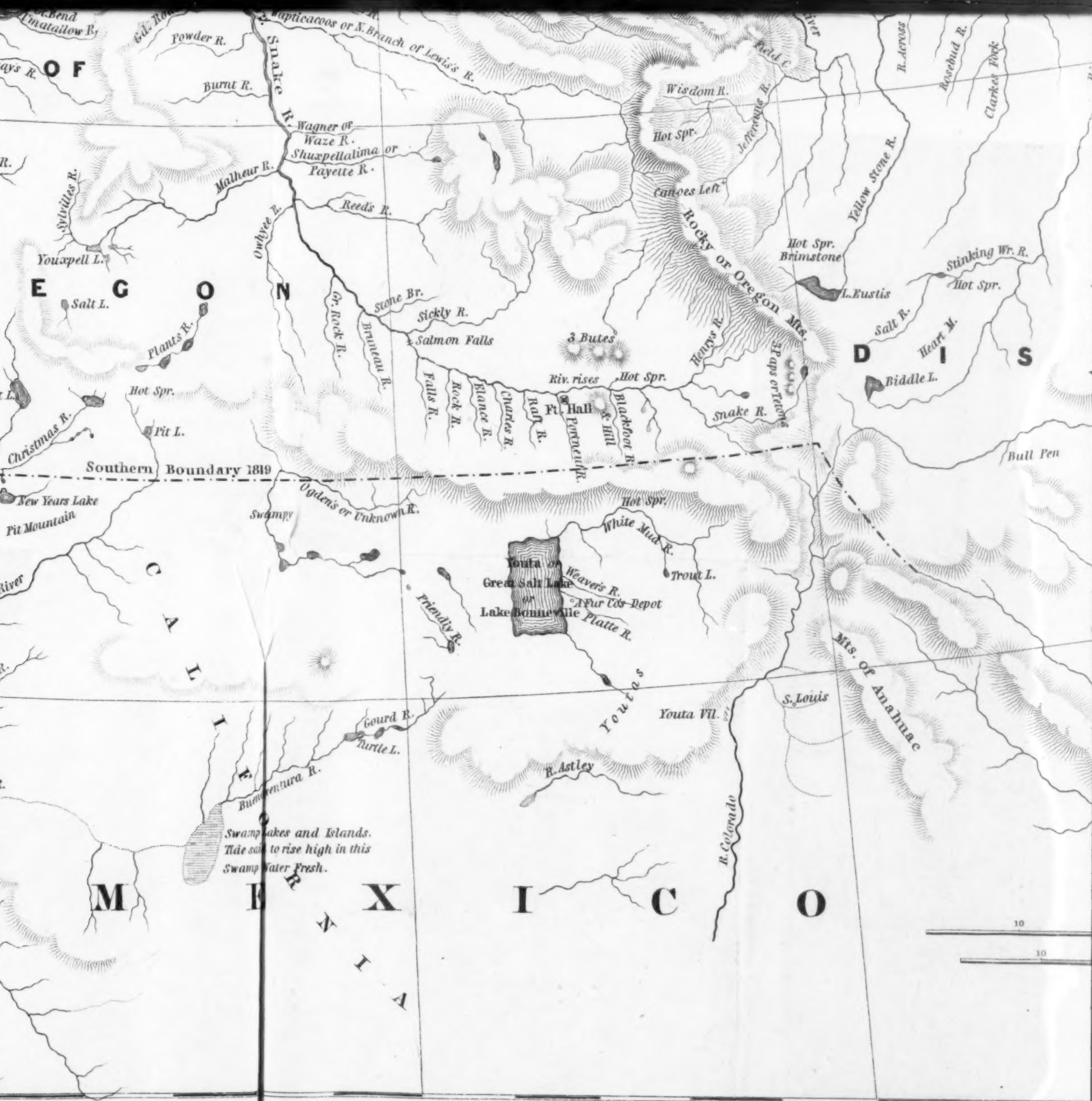
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120°



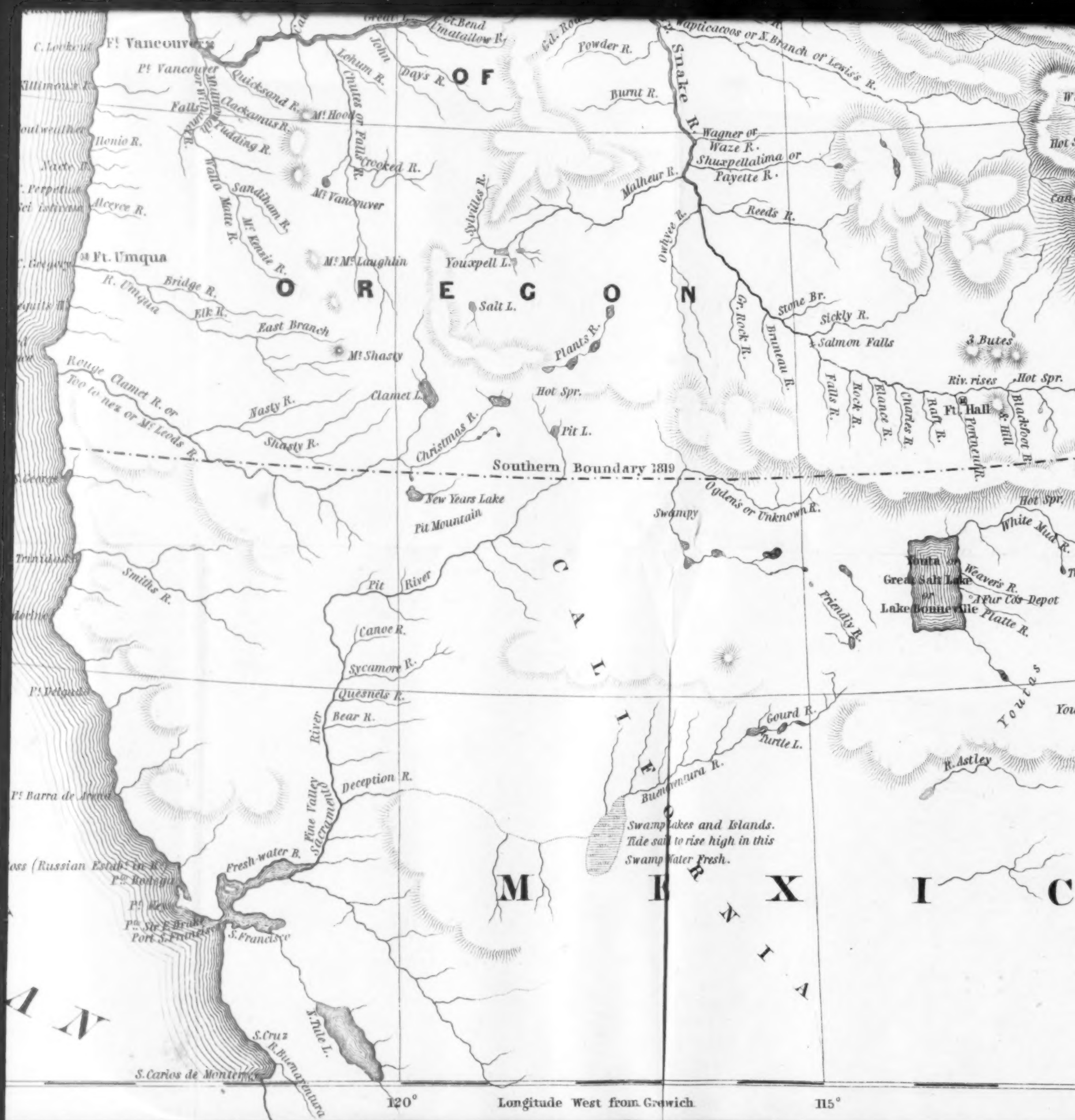


Longitude West from Greenwich

115°

110°



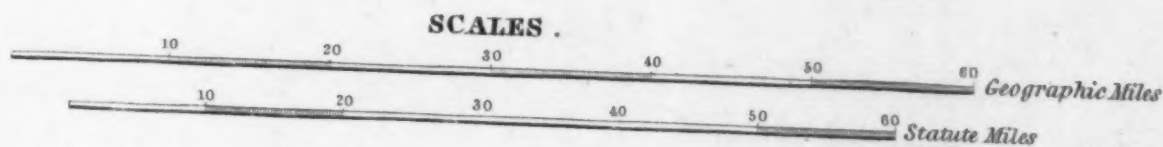
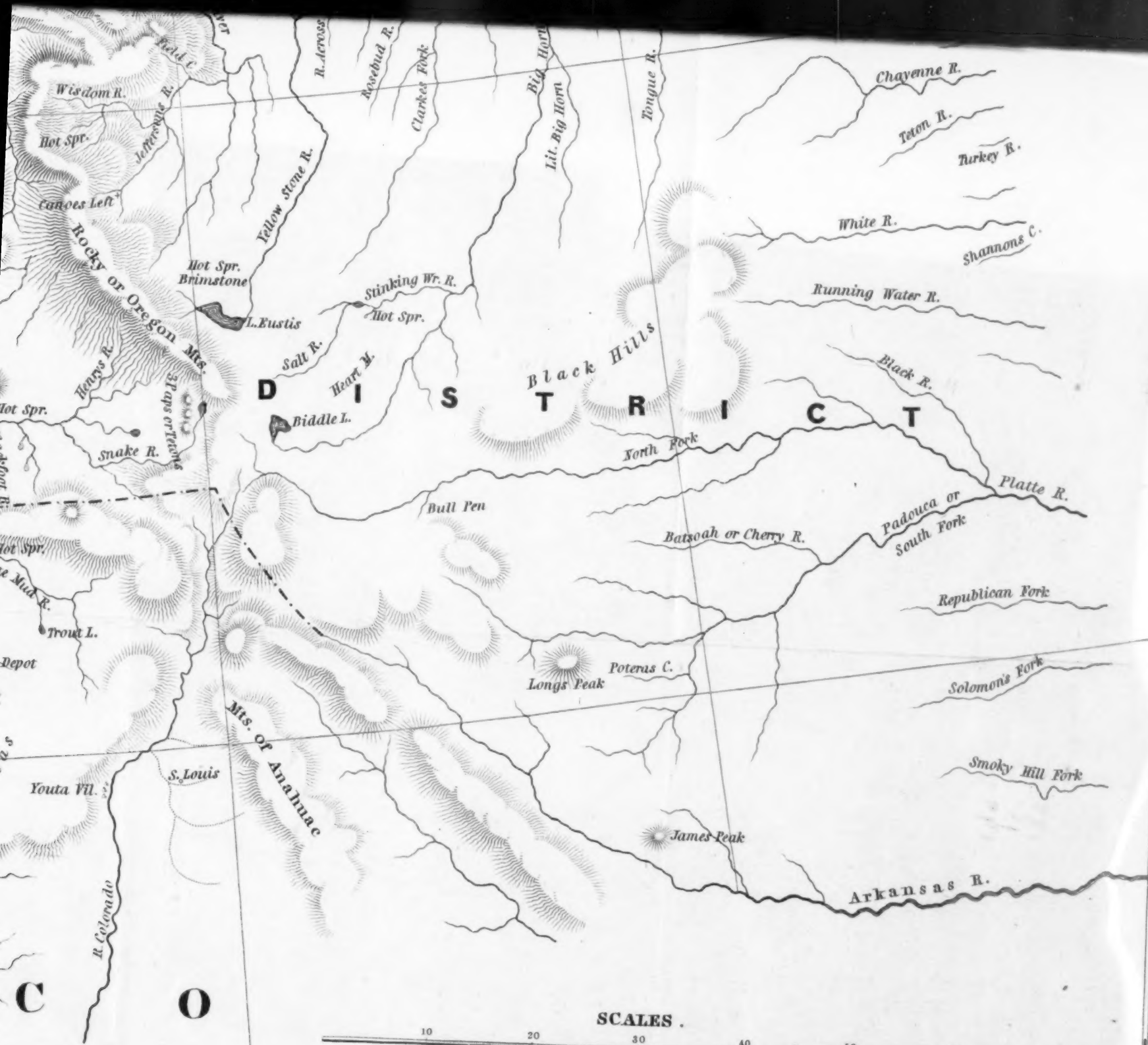


120°

Longitude West from Greenwich

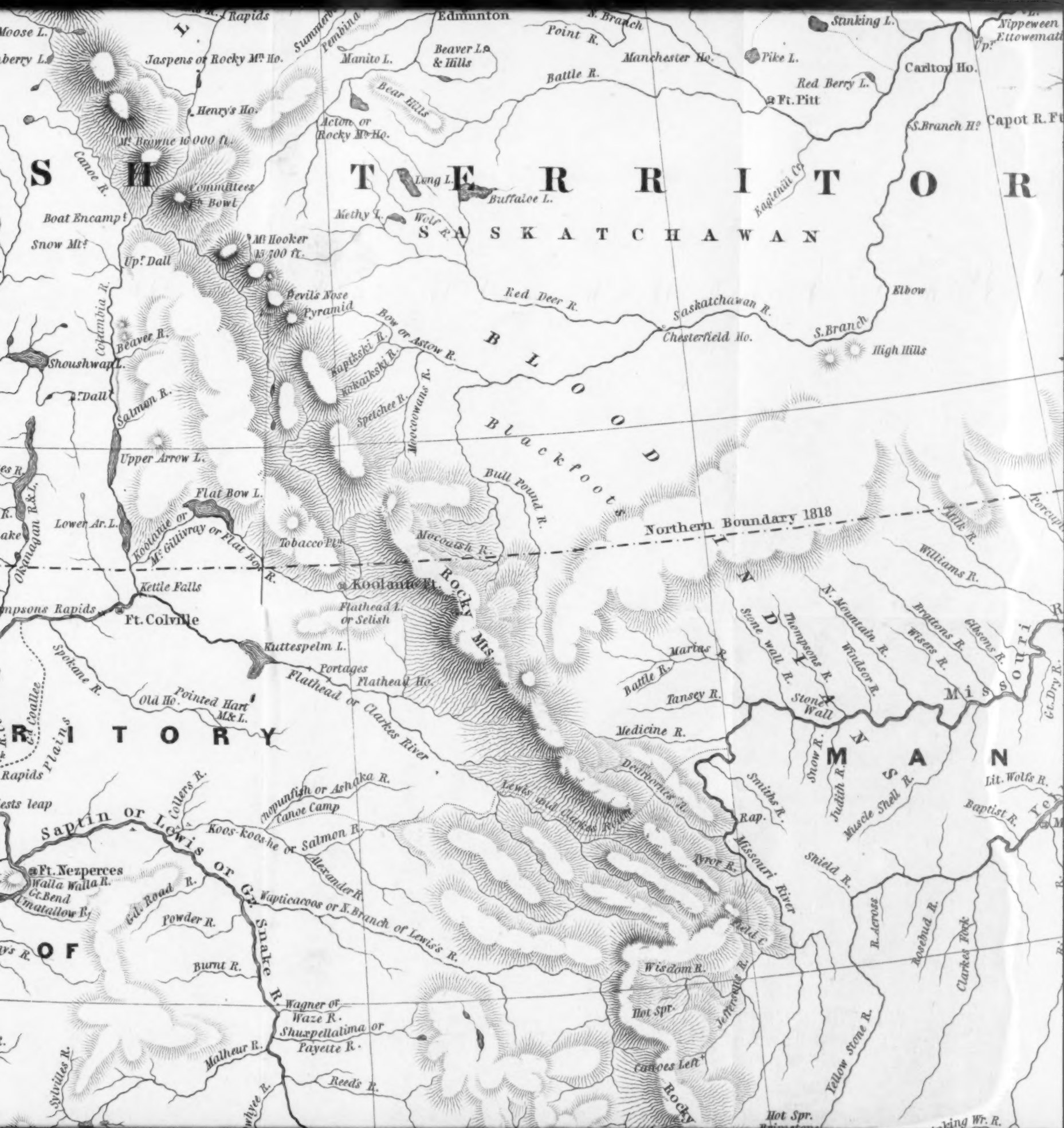
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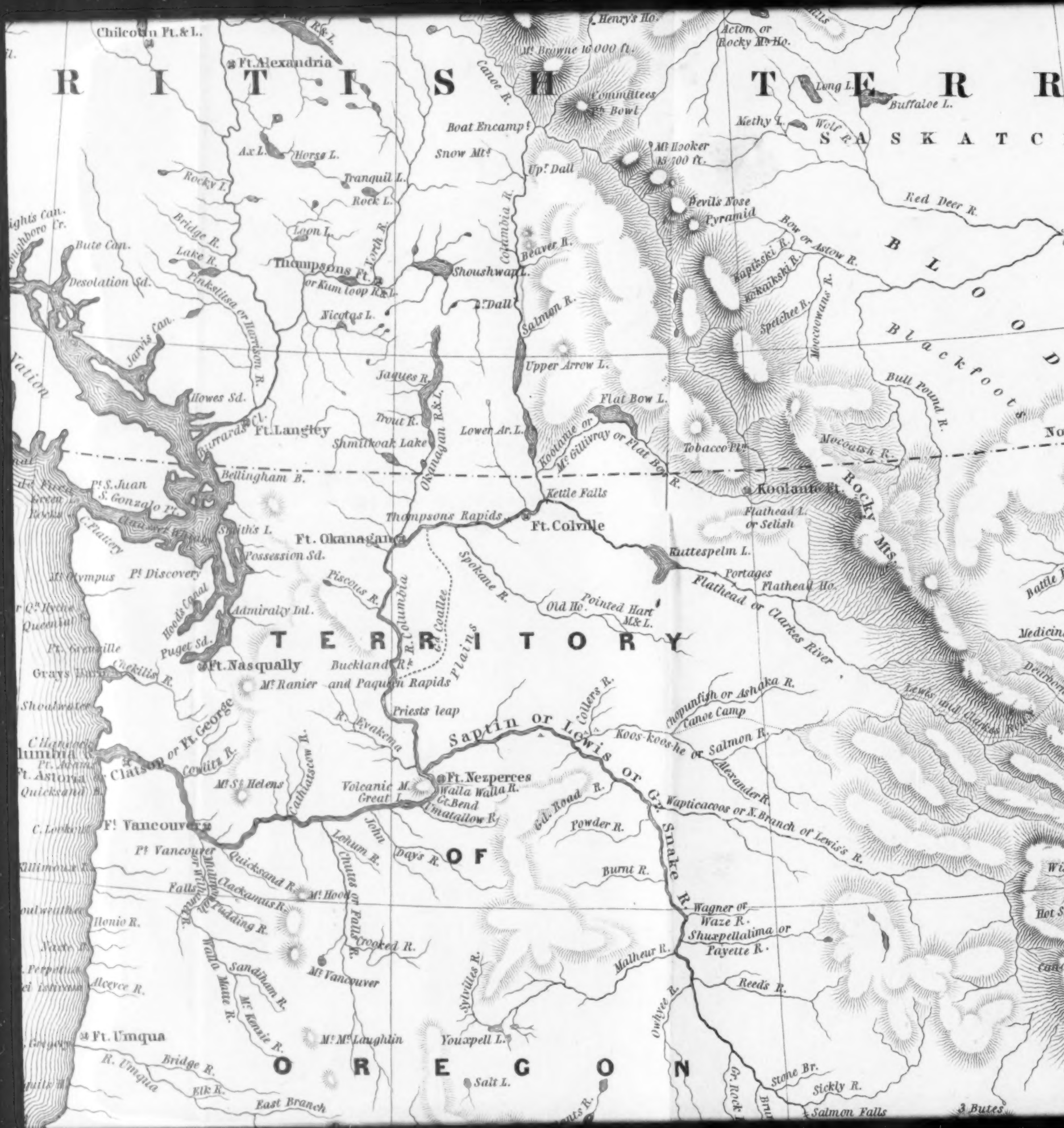




















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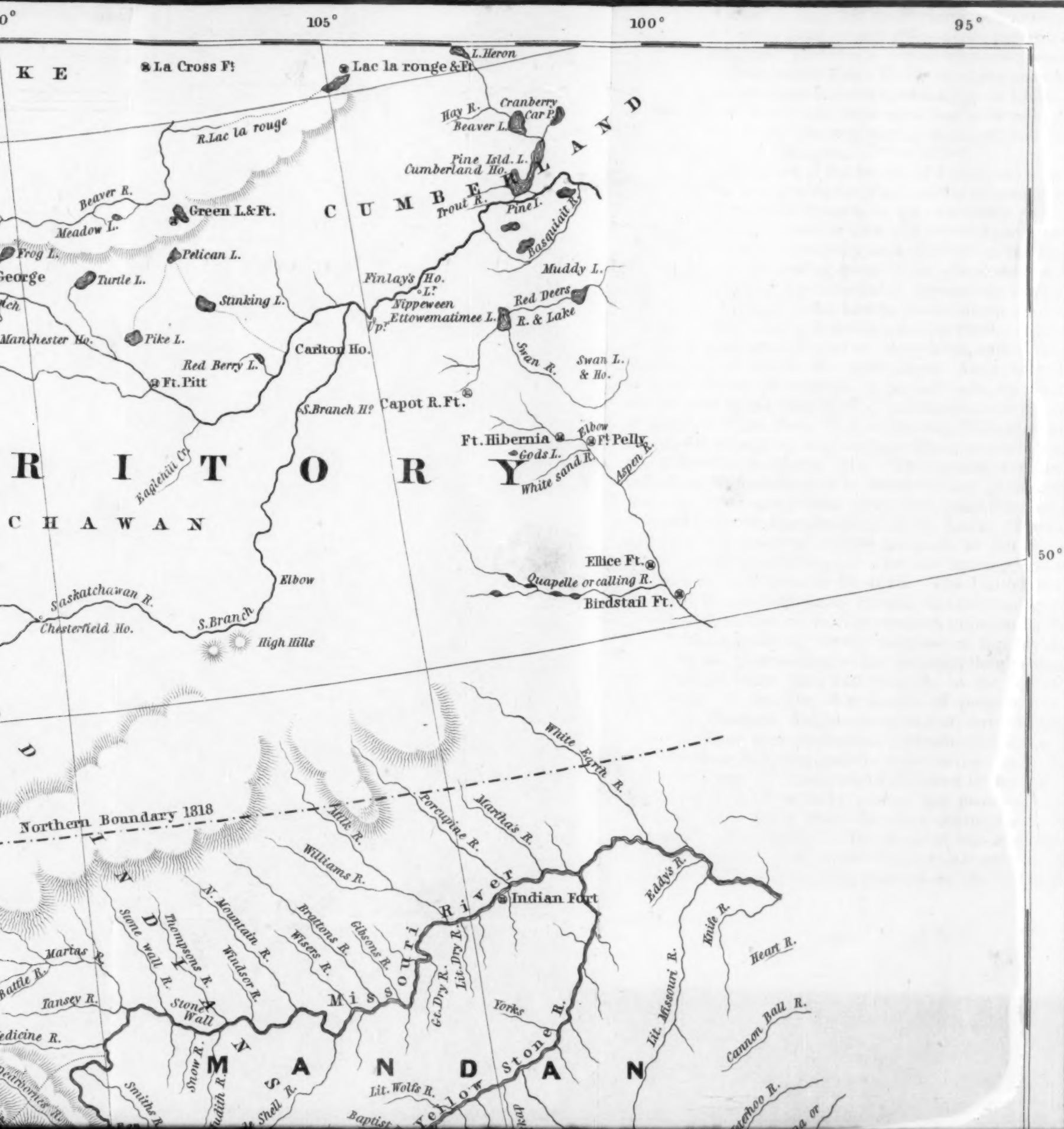
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United States, through its agent, J. B. Prevost, Esq., and an instrument testifying the fact was signed in triplicate by F. Hickey, Captain of H. B. M. ship Blossom, and J. Keith of the Northwest Company. In the despatch of Earl Bathurst directing the restoration of this post to be made, and also in the instructions of Lord Castlereagh to the British Minister in Washington, to communicate the resolution to restore it, a reservation was made, that the surrender of possession should not be deemed an admission of the absolute and exclusive right of dominion claimed by the United States, but that the question of title should be reserved for adjustment by negotiation. The effect of this surrender, under the reservation, was to place the question of title on the same footing as before the capture.

In the mean time, the British Northwestern Trading Company had established posts within the limits of this territory. As early as 1806, Mr. Simon Frazer, and other persons in the employ of that company, crossed the Rocky Mountains through the gap near the 56th degree of latitude, and established the first British trading post west of those mountains, two degrees farther south, on Frazer's Lake. In 1811, Mr. Thompson, of the same company, with a party of men, on his way down the river, for the purpose of anticipating the Americans at its mouth, built some huts on the northern branch, and opened a trade with the Flathead and Kootanie Indians. He proceeded thence for the purpose of making an establishment at the mouth of the river, but he found himself anticipated in this design by the occupation of the American post at Astoria.

We do not propose to go into a discussion of the question of title to this territory, or of the proper boundary of the claims of the two countries. It would occupy more room than we could spare for it in this publication. We have already stated the principal facts in the history of the discovery and occupation of the territory, on which the decision of the question must depend. It remains to give a brief geographical description of the territory claimed by the government of the United States.

The boundaries of the Columbia Territory are distinctly defined. On the north, they are indeed yet undetermined; on the east, it is bounded by the Rocky Mountains, on the south by the parallel of 42, and on the west by the Pacific. It will be observed, therefore, that almost the whole of the territory is farther north than Boston. The space included within the boundaries claimed by the United States, is about 600 miles, to give the average width, from east to west, and about 750 from north to south; being somewhat larger than the whole territory occupied by the middle states.

It will be seen by the map which accompanies this article, that this whole territory is watered by the Columbia river; this with its branches is indeed the only river within its boundaries of any commercial importance, and the only one which affords a harbor for shipping. With its branches it traverses the whole extent of country in every direction. The northern branch retains the name of "Columbia," though not apparently the largest stream. It rises in the Rocky Mountains, as far north as the parallel of 54, and flows nearly south for more than 300 miles, where having received the waters of Flathead or Clarke river, which also rises in the Rocky Mountains, about 300 miles to the southeast of this junction, it turns to the west. Near this junction of the Columbia and Clarke is Fort Colville. From this place the united rivers flow westerly 100 miles, and then resume a southerly course. At this bend is Fort Okenagan. From Fort Okenagan the southerly course continues 170 miles, where the stream again turns to the west, and after a course in that direction for about 330 miles, discharges itself into the Pacific Ocean in latitude 46 deg. 17m. At the beginning of this last western course is Fort Nezperces, and near that point, Lewis river, the great southern branch of the Columbia, joins it. Lewis river, like most of the other tributaries, rises in the Rocky Mountains. Its source is near the 42d parallel, and it flows thence in a northwestern course till it joins the Columbia at the point we have named.

The value of the extent of country traversed in this manner by the several waters which make up this great river, must depend in great measure on the advantages of the harbor for shipping at its mouth. Different authorities vary somewhat as to the difficulties presented by its bar, but the experience of the settlement at Astoria, and indeed the testimony of all the persons who have spoken of it, show that the bar may be readily passed under favorable circumstances. The only doubt which arises is as to the difficulties presented by unfortunate combinations of tide and weather. From Cape Hancock, or Disappointment, on the northern side of the mouth, and Cape Adams on the southern, sand-bars run out across the channel towards each other. "The current of the river on one side, and the swell and waves of the Pacific on the other side of this bar, meet," says an eye-witness, "with terrific violence, producing a most formidable line of breakers." That these breakers are not the sign of any impassable obstacles, however, appears from the experience of several merchant commanders, who have passed with five fathoms water when the wind was strongly west, and the water breaking over the bar. It was on this bar that the Peacock was lost in July of last year. The account of that disaster, published at the time, [see Mon. Chron. Vol. III. p. 91,] throws



some little light on the difficulties of the channel. As Lieutenant Wilkes subsequently explored the channel diligently, his observations upon it, when published, will give full information. From such information as we have, however, we do not doubt that a skilful pilot could take a ship into the river at any time of wind or tide. Steam tow-boats, as some of the travellers to the Columbia have suggested, would probably remove every difficulty.

The bay at the north of Cape Hancock is a deep and good harbor, as is Puget Sound, still farther to the north.

For vessels of fourteen feet draught, the river is navigable to the Cascades, 125 miles from its mouth. The Cascades are impassable for any craft; the water falls thirty-five feet in three miles. Between these and the severe rapids called the Dalles, a space of thirty-six miles, the river is wide and deep, and the current is gentle. The Dalles are passable at low water by skilful boatmen in canoes, but at high water are impracticable even for such craft. The river rushes through a space not more than one hundred and fifty feet wide, walled in by upright basaltic columns on each side. Five miles above the Dalles are the falls of the Columbia, which are passed at very high water by experienced canoe-men, in either direction, but at low water are impracticable. From this point the river might probably be used by steamboats to Kettle Falls, just below Colville.

The great variation in the depth of water where the river is as much confined as at the Dalles is shown by a curious fact, mentioned by Captain Wyeth. At a time when the water was not very low, he measured fifty-four feet upward, to the high water mark left on the basaltic columns. At such times the water between the Dalles and the falls becomes almost a lake, and the surface is almost as high as that of the river above the falls.

Clarke river, in its whole course, is difficult of navigation, to the best boatmen with good canoes, and is impracticable for any other kind of vessel. Lewis river and its branches are not much better. The Wallamette, the only tributary of importance which does not rise in the Rocky Mountains, is navigable for twenty miles from its mouth for vessels of 12 feet draught; it then becomes shoaler and more rapid, and at twenty-five miles from its mouth are the falls, which are twenty-two feet high. Above these steamboats might ply about fifty miles. This river empties into the Columbia about 90 miles from the sea. Its valley is considered the finest country in the territory.

The whole water communication of the country indeed is decidedly bad, and there seems to be no convenient or ready means for improving it.

The principal ridges of mountains, much broken and divided,

intersect the Columbia territory, and divide it into three general divisions of climate and soil. These are the California or Klamet, or Cascade mountains, for they are distinguished by all these names, which are nearer the sea than the other range. They are in some places a hundred miles from the ocean, though generally nearer. Between them and the Rocky Mountains are the Blue Mountains; their course is not so regularly defined as either of the other chains; they are broken into several ridges, some of which join the Rocky Mountains on the east, and some the California range on the west. They are steep, volcanic, and rocky, and present the chief difficulties to the transport of goods across the country. The Rocky Mountains, though higher, have several excellent passes suitable even for wheel carriages; but in the Blue Mountains the streams are almost impassable, and the land trails are suitable only for animals with packs.

To the west of the California range, the *lower region*, extending from that range to the sea, presents the most inviting district of the whole territory. The climate is as warm as that of the middle States, except that the nights are cooler. From April to October but little rain falls; it is rare to have any in June, July, August, or September. From October to April the rain is almost incessant, but there is very little snow. The climate is very much milder than the district on the eastern coast of America within the same parallels. The mercury in winter, it is said, is seldom below the freezing point, and rarely remains so low as that for any number of days.

Through the summer months the want of rain is partially supplied by heavy dews and occasional fogs. These do not seem, however, to be considered unhealthy, for both natives and whites sleep in the open air with impunity. Throughout the summer, snow may be seen on the distant mountains, and the sea-breezes temper the heat so much, that it is never inconvenient; while the mildness of the winter is such, that the inhabitants can wear the same dress throughout the year.

This region seems to be well adapted for agricultural purposes. Figs, citrons, lemons, pomegranates, have been raised there as well as the more hardy fruits. Cattle seem to do well; those which have been carried thither have multiplied rapidly. The region does not present the advantages of the western states for raising pork, for there is but little mast on which to fatten the hogs. The extreme mildness of the winter is of course a great advantage to the graziers. The success of ordinary crops seems to be very satisfactory, though not probably so wonderful as in the valley of the Mississippi. Indian corn in particular fails. In general, it is said, that from the dryness of the summer, the products which

ripen earliest sustain the least damage, while late crops often suffer.

The *middle region*, between the California and Blue ranges, has but little good timber upon it, and its soil, though good, is less fertile than that just described. It is represented as one of the best grazing countries in the world; almost all the horses raised in the territory for Indians and traders are reared here. One Indian frequently owns several hundred. The climate is extremely healthy.

The *high region*, between the Blue and Rocky Mountains, presents few attractions either to farmer or grazier. There is very little available soil, and, excepting in a few days in spring, very little rain falls through the year.

The Indians have domesticated the horse and the dog only, from the wild animals in the country. The horses are of an excellent breed; it is said that they are frequently found wild. Among the wild animals are the sheep, the beaver, and otter, besides those found in most of the unsettled parts of America. The sheep is about the size of our common sheep, and white, the wool fine, but not so long as that of our domestic sheep. The natives, it is said, make blankets from the wool. It is to be hoped that the attention of settlers may be soon called to this animal, that proper means may be taken for the preservation of the race.

A strong desire has been manifested for some years past by the people of the western states, for the actual occupation of this territory, by the United States, by the establishment of a military post on the Columbia river, and the encouragement of adventurers who may be disposed to found a colony there. The subject has been frequently brought to the attention of Congress, with the view of obtaining a grant of authority to the executive government, for taking measures to this effect. No very definite exposition has been given of the advantages likely to result to the Union from such an extension of the actual jurisdiction of the government, or of the motives which should induce individuals to emigrate with their families to that remote region, for the purpose of laying the foundations of a new state there, in preference to a settlement on some of the numerous tracts of fertile territory, still unoccupied within the broad basin of the Mississippi, and its tributary streams. Several reports have been made to Congress, recommending some decisive action for the attainment of the object above stated.

At the recent session of Congress, the committee of the House of Representatives on military affairs, made an elaborate and able report, detailing the history of the discovery and settlement of the territory, giving a full geographical description of it from various

authorities, and concluding with offering a bill to provide for the immediate military occupation of it. This bill proposed to authorize the President of the United States to cause two military posts to be established, one at or near the mouth of Columbia river, and the other at some suitable point west of the Council Bluffs, on the Missouri, in the most direct practicable line of communication between the United States and the mouth of the Columbia, and to cause a fort to be built at each of those posts, with the necessary quarters, storehouses, arsenals, and magazines, for the comfort of the troops, and the security of the public property. For this purpose, it was proposed that he should be authorized to employ such portion of the army as he might deem necessary, not exceeding fourteen hundred men, and such portion of the navy as he might deem necessary, to transport to the mouth of the Columbia river the requisite garrison stores and armament. The bill proposed also additional encouragements for enlisting men in the service of these posts, and provision for the wives and children of soldiers at the several garrisons, and assigned to each post a chaplain, who in addition to the ordinary duties of his office, should also act as schoolmaster, under the rules and regulations of the commanding officer. The bill also proposed to authorize the President of the United States to employ a company, not exceeding fifty men, at an expense not exceeding a dollar a day, to act as guides and scouts, and to perform such services as might be required of them at the said posts.

In consequence of the unsettled state of the negotiation between the government of the United States and the British special minister at Washington, on the subject of the boundaries between the territories claimed by the two countries, the bill for the occupation of this territory was not called up in Congress at the last session. As the treaty happily concluded during these negotiations does not embrace any provision for the settlement of the boundary of this territory, this question remains open for future negotiation, and the proposition for the establishment of the posts, and the occupation of the territory, will probably be strongly urged at future sessions of Congress, until it shall be adopted.



## ARTICLE XIII.

## ORIENTAL LITERATURE.

THE Royal Library of France is richer, we believe, in manuscripts, than any other in the world, especially in works in the Oriental languages. From time to time, some of these have been published, with more or less pretension, in Paris and other parts of Europe, and such publications have afforded the most valuable materials to the student of Oriental literature and history. Recently, by the order of the king, a series has been begun of such of these works as have not before been edited, and three volumes of this collection have just appeared in Paris. The first is the history of the Mongols, by Raschid Eldin, the second the first volume of an epic poem of Ferdoussi's, entitled *Shah Nameh* the Great, or the Book of the Kings; and the third is the first volume of *Bhagavata-Purana*. None of these works have reached this country. In a French journal of our latest dates, we find an account of the first of them, by the French critic Saint Marc Girardin, which gives so curious an account of the book, and of one of the passages of Oriental history, of which it treats, that we translate the greater part of it. It will be understood, that together with the Arabic text, a French translation is printed in this new edition. M. Girardin is not an Oriental scholar. The translation of the *History of the Mongols* is by M. Quatremère.

Raschid-Eldin, says M. Girardin, was not merely an author and scholar; he was a minister, a vizier, and vizier of one of the most powerful empires in the world. He built a new suburb to the town of Tauriz, he founded mosques, dug canals, and carried aqueducts across mountains, that this favorite suburb might be well watered. He spent more than 900,000 francs upon the copying, punctuation, and revision of his book, that it might certainly survive him, and that there might be a large number of copies of it. More than this, as minister, he brought his colleague, of whom he was jealous, into disgrace, and had him condemned to death; he chose a new colleague himself, and brought him in turn to disgrace and execution; and was himself beheaded at the age of sixty-three years. Such were his adventures, his fortunes, and his troubles; and yet, his name even would have been lost but for M. Quatremère's erudition; and of all the numerous copies of his works there is but one manuscript left, and that is an incom-

\* *Histoire des Mongols de la Perse*, écrite en Persan par Raschid-Eldin, publiée et traduite en Français; par M. Quatremère, membre de l'Académie des Inscriptions et Belles-Lettres.

plete one, containing only the first part of his history. After this, who would be a statesman? Who would be an author? Who would be both at once, like Raschid-Eldin?

M. Quatremère has not even published a translation of all that part of Raschid-Eldin's work which remains. He restricts himself to the history of the Persian Mongols, and the volume which has just appeared contains the life of Houlagou-Khan, who founded the dynasty of the Persian Mongols; a dynasty which lasted a short time, and was then overturned by Tamerlane. Houlagou-Khan was the grandson of Genghis Khan. His brother, Mangou Khan, who was the sovereign, gave him an army and sent him to conquer Persia. When he departed, Mangou, as his last advice, bade him always observe the usages, customs, and laws of Ghengis Khan, to treat those who submitted kindly, while he was sternly rigorous to those who resisted. "Let your subjects," said he, "be always free from burdens and unjust contributions; take care to repeople countries which have been desolated by war. . . . Do not fail, in every contingency, to consult Dokouskhatoun, and take her advice." Who was this Dokouskhatoun, who was to be the conqueror's adviser? She was his wife, or rather one of his wives. She had been the wife of his father, Toulou-Khan, and at his death had passed with all his household into his son's hands;—this strange contradiction resulting from national customs! The wife, according to Oriental customs, is a slave, and makes a part of the domestic establishment; but although a slave, a wife among the Mongols is powerful and respected, and counsels even conquerors. Dokouskhatoun was, in the family of Toulou Khan, a sort of Egeria. We ought to add, that she was a christian; at least, she loved and protected the christians.

Houlagou-Khan, in the letters which he wrote to the Sultans of Asia Minor and Persia, gave a religious pretext to his expedition. He came, he said, to destroy the fortresses of the Ismaeliens, and to extirpate that sect entirely. If the Sultans were disposed to range themselves under his banners, and aid his enterprise, he assured to them the possession of their estates, armies, and palaces. If not, he threatened to treat them as if themselves Ismaeliens, and to destroy them in their turn. This religious pretext is one of those traits which characterize the East. In the East almost all wars are religious wars. Tamerlane, in his expeditions, was at the same time a pitiless warrior and a fanatical devotee. The character of Mahomet, that of an apostle and conqueror, is natural to the East, and religious zeal plays a part in all the revolutions of Oriental empires.

After having destroyed the forces of the Ismailiens, Houlagou-

Khan marched against Bagdad, and overthrew the empire of the *Abassides*.\*

The caliphate of Bagdad had long been tottering to its fall. All the presages of the fall of states had appeared every where around it: the revolt of provinces; the empire reduced to its capital; this capital itself the prey to sedition, recurring from the fear inspired by the approach of the Mongol conqueror, to vain bursts of audacity and idle recollections of former glory, and thus accusing every body of treason, in the ordinary course of nations which have been powerful, and which, not resigned to weakness, prefer to believe and declare themselves betrayed. On the throne was an effeminate prince, troubled at the sight of danger, now fierce and insolent, as if God would not permit the fall of the *Abassides*, now recurring to the basest submissions. Thus do nations, thus do royal races sink to their ruin. Raschid-Eldin has painted this agony of the caliphate in lively colors.

Before marching against Bagdad, Houlagou-Khan sent a message to the caliph Motassem: "You sent me no soldiers against the *Ismaliens*, and you made idle excuses for your neglect. Your family is ancient and illustrious, your race has been favored by fortune, but the moon only shines clearly when the brilliant sun is concealed. You know to what treatment, since the reign of Ghengis Khan, the Mongol armies have subjected the world." He proceeds to detail all the empires and dynasties destroyed by the Mongols; he required of the caliph that he should destroy the ramparts, and fill up the ditches of his towns, to surrender to him, to acknowledge himself the vassal of the Mongols. "If you wish to save your head and your ancient family, listen to my advice; if you refuse to take it, I will see what is the will of God."

The caliph made a proud reply to this terrible message; he alluded to the greatness and the sanctity of the family of the *Abassides*. Invested with the priesthood and the empire, the *Abassides* had a double degree of presumption, that of a royal race and that of a sacred race; but the Mongols had the power in their hands. When Houlagou-Khan heard the reply of the caliph, he said: "The caliph appears as crooked as a bow; but if the eternal God protects me, I will punish this braggart, so as to make him as straight as an arrow."

When Motassem heard of the anger of Houlagou-Khan, he began to be troubled, and consulted his vizier, who, knowing the

\* The first line of Mahometan caliphs were the *Osmiada*, of the race of Omar, the first caliph after Mahomet. In the year 1749, after nineteen of these caliphs had held the throne, the line of the *Abassides*, descended from Mahomet by the male line, superseded them. They removed the seat of government to Bagdad. To this line belonged Haroun al Raschid, of ever glorious memory.



weakness of the caliph, advised him to send presents to Houlagou, that if possible he might appease his rage. But the other courtiers declared that the vizier was betraying the caliph, and that he held communication with the Khan. Motassem regained courage, and recalling once more recollections of the grandeur of his race, "What distress," said he, in the midst of his applauding courtiers, "need the family of Abbas conceive? Are not all the monarchs who reign on the face of the world my soldiers? Take courage, then, vizier, and do not regard these threats of the Mongols." These words troubled the vizier, for he saw distinctly that the reign of the Abassides was at an end; and as it was under his vizierate that this catastrophe would take place, he turned upon himself like a serpent, and reviewed in his mind all kinds of expedients.

I do not know but I am wrong, continues M. Girardin; but this view of the court of Bagdad and the camp of the Mongols, here pride without strength, there a sort of hardy confidence in the will of God, which the Mongols had often proved in triumph, these cries of treason uttered by the courtier, and above all, this old vizier, who knows the weakness of the empire, who sees the presages of the fall of the caliphate in the blindness of the court which accuses him, and who, dumb with sadness at the sight of this catastrophe, vainly tries to save this dying state, like a physician, who, at the bed of a patient whose condition is desperate, yet tries his art, although it has become powerless against death, — all this seems to me to be painted in a manner worthy of the greatest historians of antiquity. These scenes give us at the same time a view of the manners of the time and country, and of the characteristics of humanity. This is the merit of the great historian; in the same sketch he represents the man of the time and the man of all time.

We have seen the interior of the court of the caliph Motassem. Let us return to the camp of Houlagou. He marched against Bagdad, but was not without doubt as to the result of his enterprise, when he thought of the strong fortifications of the city, and of the ascendancy which the very name of caliph possessed. He called upon the astronomer Hosam-Eldin, whom Mangou-Khan had sent with him, that he should choose the most favorable moments for encampment or for marching, and bade him tell without flattery what the stars presaged. The astronomer declared formally that an enterprise whose object was an attack on the family of the caliphs and a march against Bagdad, could not have a favorable result. In fact, said he, in all past time, no king who has dared to march against Bagdad and the descendants of Abbas has preserved his throne or his life. Houlagou-Khan con-

tented himself with asking of the astronomer a written attestation of his prediction. On the other hand, the lamas and the emirs protested that an expedition against Bagdad would prove fortunate. Houlagou then sent for another astronomer, named Khodjah Nasir Eldin, and asked his advice. Nasir Eldin replied that none of the misfortunes prophesied by Hosam-Eldin would take place. "What will happen then?" asked they. "Houlagou-Khan will reign in the place of the caliph." Hosam-Eldin disputed with Nasir in the presence of Houlagou. The argument of Nasir is curious. The family of Abbas has no peculiar prerogative, and may be attacked without any risk of the anger of God; and he cited numerous caliphs of this family who had been assassinated by different persons without any disorderly results, as a proof of this assertion. "In hearing the speech of this skilful man, the heart of Houlagou-Khan regained an energy like the colors which appear on the tulip in the first days of spring." What strikes me as remarkable in this discussion among the astrologers, is the care which Houlagou-Khan took to prove that the family of Abbas had no religious character, and that he might carry on a war against the caliph without sacrilege or impiety. This care shows the influence which the name of caliph still had in the East.

Once reassured on this question of conscience, Houlagou-Khan marched with his Mongols against Bagdad. The troops of the caliph were conquered in a decisive battle, and the Mongol army extended itself round Bagdad as numerous as ants or grasshoppers. At this sight, the caliph's pride gave way to fear. He sent his vizier to Houlagou-Khan, and made him say: "The Mongol monarch has asked me to send him my vizier. I do what he asked. Let the prince on his side hold to his word." Houlagou replied: "When I made that demand I was under the walls of Hamadan. Now I am encamped before Bagdad, the sea of trouble and of war is fully agitated, and shall I satisfy myself with one of the great functionaries of the state? He must send me all three: the vizier, the defterdar, and Soleiman Schah."

The different steps of the fall of Motassem are shown in an expressive and touching manner. At first, he consented to send his vizier. Houlagou-Khan required him to send the three first functionaries of state. Motassem decided to send them the next day; but during the night the Mongols gained possession of a part of the ramparts of Bagdad. Houlagou-Khan was no longer satisfied with the supplication of the three first dignitaries of the empire; the second son of the caliph himself went out of the town and sought the conqueror with great presents. Houlagou would not receive him. The eldest son of the caliph went in turn

with more precious gifts; Houlagou was inflexible. Then desolation and terror spread through Bagdad; the soldiers of the caliph tried to escape from the town, but the Mongols detected and killed them; those who remained in the town hid themselves in cellars and in the furnaces with which the baths were heated. While these things were going on, an arrow from the town hit the eye of one of the chief Mongol emirs, and Houlagou, inflamed with anger, ordered his army to storm the town. But Bagdad had no longer any defenders. Its inhabitants rushed out of the town to implore the clemency of the conqueror. This was the beginning of a bloody tragedy, for Houlagou put to death the grandees of the empire as soon as they were brought before him. At last the caliph came, with his three sons and more than three thousand seids, imaums, and cadis, abandoning his town, his empire, and his life; for he knew what his lot would be, according to eastern policy. Houlagou received him calmly, asked him some questions with mildness and gentleness, and then said to him: "Order the inhabitants of Bagdad to throw down their arms and go out of the city, that we may make an enumeration of them." The caliph proclaimed through Bagdad an edict that the inhabitants should throw down their arms and go without the walls. The inhabitants obeyed, and were no sooner disarmed, than they were delivered in troops to the Mongols, who massacred them immediately. After this massacre, Bagdad was given over to pillage. The Mongols rushed into the town and *burned the green and the dry*, and two days after Houlagou took possession of the caliph's palace, and gave a feast there to his emirs. By his order, the caliph was brought before him, and he said to him, "You have received us here. We are your guests; see if you have no present fit to offer us." The caliph, who believed that this speech was seriously meant, trembled with fear, and was so much distressed, that he could not distinguish among his different keys. He broke open several locks, and presented to the Mongol monarch two thousand vestments, ten thousand pieces of gold and jewels, and gems beyond number. Houlagou received these gifts with scorn, and distributed them to his emirs and other chiefs. At last, they broke in upon the caliph's harem. When Motassem saw this, he was more troubled than ever, and, in a suppliant tone, he said to Houlagou: "Must I give up to you these women from my harem, on whom the light of the sun or moon has never shone?" He permitted him to choose a hundred, whom he took with him.

What truth in the representations of this scene! This feast in the conquered palace; this cruel irony of the conqueror; the distress and fear of the conquered; this sudden change of fortune in the face of these walls, which had so long seen the glory of the



Abassides, and which were now to see their humiliation; these keys, which the caliph sought and could not find; and this grief, above all, because this trait shows eastern manners most distinctly; this grief and supplication when the harem was to be broken up; and when the conquered monarch learned that his women were to be shown to the open day, as if all the signs of his misfortune had not affected him so much as this; this proof that he was no longer master of any thing, not even of the veil which secluded the women of his harem; that sacred veil, the right to which is the last which the Orientals relinquish.

We do not obtain general considerations and political reflections of this kind, in which modern historians take such delight immediately from Raschid-Eldin. Raschid-Eldin seems to me to be a great moralist, but such a moralist as are the writers of fiction; his writings, I mean, contain a striking and important moral. The reader has to find this moral for himself; the author does not express it. It does not interrupt the narrative. The drama is not stopped, that the author may come forward, and history of this kind has the more of truth and interest; it is a more faithful image of human affairs. This power of making a narrative which shall embody a moral, of placing his actors on the stage in such a way as to please the fancy while he paints their characters at the same time, is strikingly evinced throughout the writings of Raschid-Eldin.

We have no space to follow M. Girardin in his sketch of another of the chapters of Raschid-Eldin's history. The passage which we have exhibited to the reader describes one of the most important epochs of Oriental history, for such must the fall of the Saracen empire be considered, in whatever light we view it. But the epochs of Oriental history, the fall of Oriental dynasties, are, almost proverbially, consigned by common consent to forgetfulness. It is not so much as a passage of history, therefore, that we have introduced this sketch in these pages; but as a specimen, and an interesting one, of the literature of the East; a literature which is the more interesting to us from the very broad divisions between it and our own. We shall be glad to see the second volume of the work, which has furnished the materials for this sketch, for, in the words of the French critic, whom we have followed, while it is honorable to begin enterprises like this, which are really public monuments, it is as honorable as it is unusual to complete them.

## M I S C E L L A N Y .

## A TREATY,

*To settle and define the Boundary between the Territories of the United States and the possessions of Her Britannic Majesty in North America, for the final suppression of the African Slave Trade, and for the giving up of criminals, fugitives from justice, in certain cases.*

WHEREAS certain portions of the line of boundary between the United States of America and the British dominions in North America, described in the Second Article of the Treaty of Peace of 1783, have not yet been ascertained and determined, notwithstanding the repeated attempts which have been heretofore made for that purpose: and whereas it is now thought to be for the interest of both parties that, avoiding further discussion of their respective rights, arising in this respect under the said Treaty, they should agree on a conventional line in said portions of the said boundary, such as may be convenient to both parties, with such equivalents and compensations as are deemed just and reasonable: And whereas, by the Treaty concluded at Ghent on the 24th day of December, 1814, between the United States and His Britannic Majesty, an article was agreed to and inserted of the following tenor, namely: "Art. 10. Whereas the traffic in slaves is irreconcilable with the principles of humanity and justice: And whereas, both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavors to accomplish so desirable an object:" And whereas, notwithstanding the laws which have at various times been passed by the two Governments, and the efforts made to suppress it, that criminal traffic is still prosecuted and carried on: And whereas the United States of America and Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, are determined that, so far as may be in their power, it shall be effectually abolished: And whereas it is found expedient, for the better administration of justice and the prevention of crime within the territories and jurisdiction of the two parties respectively, that persons committing the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up: The United States of America and Her Britannic Majesty, having resolved to treat on these several subjects, have for that purpose appointed their respective Plenipotentiaries to negotiate and conclude a Treaty; that is to say, the President of the United States has, on his part, furnished with full powers Daniel Webster, Secretary of State of the United States, and Her Majesty, the Queen of the United Kingdom of Great

Britain and Ireland, has on her part appointed the Right Honorable Alexander Lord Ashburton, a Peer of the said United Kingdom, a member of Her Majesty's most honorable Privy Council, and Her Majesty's Minister Plenipotentiary on a Special Mission to the United States; who, after a reciprocal communication of their respective full powers, have agreed to and signed the following Articles:

ARTICLE I. It is hereby agreed and declared that the line of boundary shall be as follows:

Beginning at the Monument at the source of the river St. Croix, as designated and agreed to, by the Commissioners under the 5th Article in the Treaty of 1794, between the Governments of the United States and Great Britain; thence, north, following the exploring line run and marked by the surveyors of the two Governments in the years 1817 and 1818, under the 5th article of the Treaty of Ghent, to its intersection with the river St. John, and to the middle of the channel thereof; thence, up the middle of the main channel of said river St. John, to the mouth of the river St. Francis; thence, up the middle of the channel of the said river St. Francis, and of the lakes through which it flows, to the outlet of the lake Pohenagamook; thence, southwesterly, in a straight line to a point on the northwest branch of the river St. John, which point shall be ten miles distant from the main branch of the St. John, in a straight line, and in the nearest direction; but if the said point shall be found to be less than seven miles from the nearest point, or summit, or crest of the highlands that divide those rivers which empty themselves into the river St. Lawrence from those which fall into the river St. John, to a point seven miles in a straight line from the said summit or crest; thence, in a straight line in a course about south eight degrees west to the point where the parallel of latitude of 46 deg. 25m. north intersects the southwest branch of the St. John; thence, southerly by the said branch, to the source thereof in the highlands at the Metjarmette portage; thence, down along the said highlands, which divide the waters which empty themselves into the river St. Lawrence from those which fall into the Atlantic Ocean, to the head of Hall's stream; thence, down the middle of said stream till the line thus run intersects the old line of boundary surveyed and marked by Valentine and Collins previously to the year 1774, as the 45th degree of north latitude, and which has been known and understood to be the line of actual division between the states of New York and Vermont on one side, and the British Province of Canada on the other; and, from said point of intersection, west along the said dividing line as heretofore known and understood, to the Iroquois, or St. Lawrence river.

ARTICLE II. — It is moreover agreed, that, from the place where the joint-commissioners terminated their labors, under the sixth article of the Treaty of Ghent, to wit: At a point in the Neebrik channel, near Muddy lake, the line shall run into and along the ship channel, between St. Joseph and St. Tammany Islands, to the division of the channel at or near the head of St. Joseph's Island; thence, turning eastwardly and northwardly, around the lower end of St. George's or Sugar Island, and following the middle of the channel which divides St. George's from St. Joseph's Island; thence, up the East Neebrik channel, nearest to St.



George's Island, through the middle of Lake George; thence west of Jona's Island, into St. Mary's River, to a point in the middle of that river, about one mile above St. George's or Sugar Island, so as to appropriate and assign the said Island to the United States; thence adopting the line traced on the Maps by the commissioners, through the river St. Mary and lake Superior, to a point north of Ile Royal in said lake, one hundred yards to the north and east of Ile Chapeau, which last-mentioned island lies near the northeastern point of Ile Royal, where the line marked by the commissioners terminates; and from the last-mentioned point, southwesterly, through the middle of the sound between Ile Royal and the northwestern main land, to the mouth of Pigeon river, and at the said river to, and through, the North and South Fowl lakes, to the lakes on the height of land between lake Superior and the lake of the Woods; thence along the water communication to lake Saisaquinago, and through that lake; thence to and through Cypress lake, Lac de Bois Blanc, Lac la Croix, Little Vermilion lake, and lake Namecan, and through the several smaller lakes, straits, or streams, connecting the lakes here mentioned, to that point in Lac la Pluie or Rainy lake, at the Chaudiere Falls, from which the commissioners traced the line to the most northwestern point of the Lake of the Woods; thence along the said line to the said most northwest point, being in latitude 49 deg. 23m. 55s. north, and in longitude 95 deg. 14m. 38s. west from the observatory at Greenwich; thence, according to existing treaties, due south to its intersection with the 49th parallel of north latitude, and along that parallel to the Rocky Mountains. It being understood that all the water communications and all the usual portage along the lines from lake Superior to the Lake of the Woods, and also Grand Portage, from the shore of lake Superior to the Pigeon river, as now actually used, shall be free and open to the use of the citizens and subjects of both countries.

ARTICLE III. — In order to promote the interests and encourage the industry of all the inhabitants of the countries watered by the river St. John and its tributaries, whether living within the state of Maine or the province of New Brunswick, it is agreed that where, by the provisions of the present treaty, the river St. John is declared to be the line of boundary, the navigation of said river shall be free and open to both parties, and shall in no way be obstructed by either; that all the produce of the forest in logs, lumber, timber, boards, staves, or shingles, or of agriculture not being manufactured, grown on any of those parts of the state of Maine watered by the river St. John, or by its tributaries, of which fact reasonable evidence shall, if required, be produced, shall have free access into and through the said river and its said tributaries, having their source within the state of Maine, to and from the seaport at the mouth of the said river St. John, and to and round the falls of said river, either by boats, rafts, or other conveyance; that when within the province of New Brunswick, the said produce shall be dealt with as if it were the produce of said province: that, in like manner, the inhabitants of the territory of the Upper St. John determined by this treaty to belong to Her Britannic Majesty, shall have free access to and through the river for their produce, in those parts where the said river runs wholly through the state of Maine;

provided always, that this agreement shall give no right to either party to interfere with any regulations not inconsistent with the terms of this treaty, which the Governments, respectively, of Maine or of New Brunswick may make respecting the navigation of the said river, when both banks thereof shall belong to the same party.

ARTICLE IV. — All grants of land heretofore made by either party, within the limits of the territory which by this treaty falls within the dominions of the other party, shall be held valid, ratified and confirmed to the persons in possession under such grants, to the same extent as if such territory had by this treaty fallen within the dominion of the party by whom such grants were made; and all equitable possessory claims, arising from a possession and improvement of any lot or parcel of land by the person actually in possession, or by those under whom such person claims, for more than six years before the date of such treaty, shall, in like manner, be deemed valid, and be confirmed and quieted by a release to the person entitled thereto, of the title to such lot or parcel of land, so described as best to include the improvements made thereon; and in all other respects the two contracting parties agree to deal upon the most liberal principles of equity with the settlers actually dwelling on the territory falling to them respectively, which has heretofore been in dispute between them.

ARTICLE V. — Whereas, in the course of the controversy respecting the disputed territory on the northeastern boundary, some moneys have been received by the authorities of Her Britannic Majesty's province of New Brunswick, with the intention of preventing depredations on the forests of the said territory, which moneys were carried to a fund called the "disputed territory fund," the proceeds whereof it was agreed should be hereafter paid over to the parties interested, in the proportions to be determined by a final settlement of boundaries: — It is hereby agreed, that a correct account of all receipts and payments on the said fund, shall be delivered to the Government of the United States, within six months after the ratification of this treaty; and the proportions of the amount due thereon to the states of Maine and Massachusetts, and any bonds and securities appertaining thereto shall be paid and delivered over to the Government of the United States; and the Government of the United States agree to receive for the use of, and pay over to the states of Maine and Massachusetts their respective portions of said fund; and further to pay and satisfy said states, respectively, for all claims for expenses incurred by them in protecting the said heretofore disputed territory, and making a survey thereof in 1838; the Government of the United States agreeing with the states of Maine and Massachusetts to pay them the further sum of three hundred thousand dollars, in equal moieties, on account of their assent to the line of boundary described in this treaty, and in consideration of the equivalent received therefore from the Government of Her Britannic Majesty.

ARTICLE VI. — It is furthermore understood and agreed, that for the purpose of running and tracing those parts of the line between the source of the St. Croix and the St. Lawrence river, which will require to be run

and ascertained, and for marking the residue of said line by proper monuments on the land, two commissioners shall be appointed, one by the President of the United States, by and with the advice and consent of the Senate thereof, and one by Her Britannic Majesty; and the said commissioners shall meet at Bangor, in the state of Maine, on the first day of May next, or as soon thereafter as may be, and shall proceed to mark the line above described, from the source of the St. Croix to the river St. John; and shall trace on proper marks the dividing line along said river, and along the river St. Francis, to the outlet of the lake Pohenagamook; and from the outlet of said lake they shall ascertain, fix and mark, by durable monuments upon the land, the line described in the first article of this treaty; and the said commissioners shall make to each of their respective Governments a joint report, or declaration, under their hands and seals, designating such line of boundary, and shall accompany said report or declaration with maps certified by them to be true maps of the new boundary.

ARTICLE VII. — It is further agreed, that the channels in the river St. Lawrence, on both sides of the Long Sault Islands, and of Barnhart Island; the channels in the river Detroit, on both sides of the island of Bois Blanc, and between that island and both the American and Canadian shores; and all the several channels and passages between the various islands lying near the junction of the river St. Clair, with the lake of that name, shall be equally free and open to the ships, vessels, and boats of both parties.

ARTICLE VIII. — The parties mutually stipulate that each shall prepare, equip and maintain in service, on the coast of Africa, a sufficient and adequate squadron or naval force of vessels, of suitable numbers and description, to carry in all not less than eighty guns, to enforce, separately and respectively, the laws, rights, and obligations of each of the two countries, for the suppression of the slave trade; the said squadrons to be independent of each other, but the two Governments stipulating, nevertheless, to give such orders to the officers commanding their respective forces, as shall enable them most effectually to act in concert and coöperation, upon mutual consultation, as exigencies may arise for the attainment of the true object of this article; copies of all such orders to be communicated by each Government to the other respectively.

ARTICLE IX. — Whereas, notwithstanding all efforts which may be made on the coast of Africa for suppressing the slave-trade, the facilities for carrying on that traffic and avoiding the vigilance of cruisers by the fraudulent use of flags and other means, are so great, and the temptations for pursuing it, while a market can be found for slaves, so strong, that the desired result may be long delayed, unless all markets be shut against the purchase of African negroes; the parties to this treaty agree that they will unite in all becoming representations and remonstrances, with any and all powers within whose dominions such markets are allowed to exist; and that they will urge upon all such powers the propriety and duty of closing such markets at once and for ever.

ARTICLE X. — It is agreed that the United States and Her Britannic Majesty shall, upon mutual requisitions by them, or their ministers, offi-



cers, or authorities, respectively made, deliver up to justice all persons who, being charged with the crime of murder, or assault with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged papers, committed within the jurisdiction of either, shall seek an asylum, or shall be found, within territories of the other: provided, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension, and commitment for trial, if the crime or offence had there been committed: and the respective judges and other magistrates of the two Governments shall have power, jurisdiction, and authority, upon complaint made under oath, to issue a warrant for the apprehension of the fugitive or person so charged, that he may be brought before such judges or other magistrates, respectively, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of such fugitive. The expense of such apprehension and delivery shall be borne and defrayed by the party who makes the requisition, and receives the fugitive.

ARTICLE XI. — The eighth article of this treaty shall be in force for five years from the date of the ratification, and afterward until one or the other party shall signify a wish to terminate it. The tenth article shall continue in force until one or the other party shall signify its wish to terminate it, and no longer.

ARTICLE XII. — The present treaty shall be duly ratified, and the mutual exchange of ratifications shall take place in London, within six months from the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this treaty, and have hereunto affixed our seals.

Done in duplicate at Washington, the ninth day of August, Anno Domini, one thousand eight hundred and forty-two.

ASHBURTON, [SEAL.]  
DANIEL WEBSTER, [SEAL.]

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EARTHQUAKE AT ST. DOMINGO.

IN the Chronicle of the 1st of June, we gave an account of the distressing ravages made by the earthquake of the 6th of May in the island of St. Domingo. The following extract from a private letter, written to London, which has just been published, gives a graphic and interesting detailed account of the events at the city of Cape Haytien, where the shock was most severe. This account is much more full than any which has reached us, and we believe may be relied on with confidence. The letter is dated June 11, more than a month after the disaster:

"The earthquake consisted of a quick succession of lateral or horizontal movements. I am certain that I likewise felt one powerful vertical or up-and-down movement. The shocks succeeded each other so quickly, that the earth appeared to be in a continued agitation, of such violence that I could with difficulty keep my legs. There was no prelude, no sub or superterranean noises, no slight symptoms to warn us of the approaching convulsion. The duration of the several shocks that laid the town prostrate was not above 40 seconds at the utmost. The houses commenced falling on the instant; a thick cloud of dust arose, accompanied by a quick rolling or heavy motion, with an unbroken fierce roar and suffocating heat. It was indeed an awful moment. I was standing in the balcony of an upper story house, and quick as thought took my position under the archway of the door leading into the *salon*. The wall over my head split to the very top; showers of lime, dust, and stones poured down upon me. The greater part of the house had already fallen, the earth still reeled, and I believed my last moment had arrived, when the movement ceased, and I jumped from the ruins, and escaped to the Place d'Eglise. The church, which was of vast dimensions and noble architecture, and all the fine houses surrounding the square, were flat on the ground.

"It was the first shock, or rather quick succession of shocks, not occupying above 40 seconds, that did all the havoc. For the next eight hours we had shocks every five or ten minutes, but none at all approaching the primary ones in force or duration. Their direction was from east to west, or nearly so. The earth was rent and split in very many places. The Bord de la Mer street runs nearly north and south, and fissures are still visible its entire length, nearly three-quarters of a mile.

"About five minutes after the great shock, the sea rose from five to six feet, and rushed to the shore, retired and rose and again, and so on four or five times. It was knee-deep on the Bord de la Mer street. The vessels in the harbor felt the effects severely. The captains told me that they expected to see their masts every moment fall over the sides; yet they suffered no injury.

"Happening on Saturday, the market-day, when great numbers of the country people were in town, the mortality was proportionably augmented. The population of the town was about 10,000, half of whom are supposed to have perished. Another calculation states three-fourths. In my opinion 6,000, including the country people, would be near the truth.

"Fires broke out immediately after the convulsion, and raged for ten days, adding to the distress and horror of the survivors; and numbers of the poor creatures buried alive under the ruins met a shockingly painful death. Many who were seen badly wounded and incapable of moving, on the evening of the catastrophe, were burnt during the night, a few bones merely remaining next morning.

"The survivors fled for refuge to the Tossette, a large open green to the south of the town, carrying with them such of the wounded and the dying as could be extricated from the ruins. What a night of horror, doubt, and dread! The mingled cries of the wounded and of the chil-

dren, the wailings and shrieks of the women, the subterranean thundering, the almost uninterrupted quaking of the earth, produced an effect which no pen can describe, nor imagination conceive. A slight rain fell for two or three hours, and added to our misery. I lay on the bare ground, and, with my ear applied to the short grass, heard with great distinctness the subterranean noises, exactly resembling the ordinary thunders in the atmosphere, except that they were of shorter duration. Each shaking of the surface was preceded by an interior noise. In one instance my ear received a sensation as if an immense globe or globular mass or volume was being forced from the centre towards the crust of the earth, immediately after which we had a very short but severe up-and-down movement. To the S. E. the sky during the night was intensely black. Clouds of smoke rolled over our heads. The limestone rocks that crown the mountain to the rear of the town, shone so brightly by reflection of the light of the burning town, that many supposed a volcano was there breaking out.

"Next morning, the 8th, broke bright and balmy, as if in mockery of the sorrowing, the wounded, the dying, and the dead. Yet was it indeed a consolation to have a clear sky and warm sun to recirculate their blood, stagnant from exposure and the horrors of the night. It was only next morning that persons seemed fully to comprehend the extent of their losses. A stupefaction or mortal terror had benumbed their faculties, which, with the returning light, seemed to regain their wonted consciousness. Now commenced the painful task of extricating from the ruins the yet living buried. Indeed, between the moment of the fatal shock and night-fall, hundreds were eagerly engaged in striving to rescue their friends, though themselves menaced with destruction; little, however, was done before next morning, when no danger or labor was shunned in these praiseworthy efforts. Strange and almost incredible have been the escapes. I know of at least a dozen persons who were sitting in their balconies when the entire fronts of the houses, from foundation to summit, fell out into the street, who yet received no mortal wounds. Many households have been altogether destroyed. From 10 to 50 country people were killed in and around the houses of each of the coffee buyers.

"On the very night of the earthquake the *canaille* of the town began thieving on a small scale, but it was on the third day that the sack and plunder commenced *en grand*. On that day the country people flocked in, and for eight or ten successive days it was one continued scene of open, undisguised sword-in-hand pillage. No town given up to a victorious army was ever so thoroughly gutted. The merchants' stores on the Bord de la Mer were the most especial objects of spoliation. Every man was armed, and bloody fights were of common occurrence over the division of the spoil, or when a stronger party attempted to wrest the booty from a weaker.

"Not the slightest effort was made by the authorities to keep order. General Charrier, commanding the arrondissement, and Colonel Cincinnati, Commandant de la Place, were both wounded, and consequently incapable of active exertions, yet by no means incapable of giving orders. Commandant Bottex was the most efficient on the occasion; being, how-



ever, only third in command, he could do but little. Then, indeed, was felt the great loss we sustained by the death of his father, General Bottex, whose courage, energy, and talent would, without doubt, have prevented all this anarchy. I am grieved to add, that it is not of the supineness of the chief authorities we have alone to complain. The great hardship is, that soldiers and officers, who should have been our protectors, vied with each other in the unholy work of robbing the wounded, the dying; the lieutenants, captains, and commandants are publicly spoken of as having been the most wholesale plunderers. It is said, in extenuation of the inertness of the chief authorities, that the surviving soldiers did not answer the summons to arms, and would not obey their chiefs. How could it be otherwise, when the soldiers saw those very chiefs with the exception of General Charrier, Colonel Cincinnatus, Commandant Bottex, and a few more, the principal actors in the scene of robbery? In Port-au-Paix an attempt was made to plunder the town; but the Colonel commanding seized two of the wretches, and had them instantly shot, which put a stop to the pillage. One hundred armed men would, I am sure, in two or three hours, have arrested all the disorder and outrage at the Cape. Shameful, disgraceful has been the conduct of the inhabitants of the North on this occasion. No foreigner, but at the imminent risk of his life, could have put a foot on the ruins of his house, to save even a change of clothes. To attempt such a thing would have been extreme fool-hardiness. The robbers killed each other in and before the stores for a piece of cotton-check. What then could an owner of property and a foreigner expect, if he dared to interfere with them? The foreign merchants lost all the goods they had in store; most of them likewise had their strong iron chests plundered. The Haytian merchants likewise suffered, but not to the same extent; for they, their friends, and dependents, armed themselves, and saved more or less of their effects.

"We do not complain of the punishment and loss which a righteous God has inflicted on us, but of the open rapine perpetrated by the inhabitants of town and plain. We complain of the passive inertness of some to defend, and the active participation of others in the plunder of our goods and chattels. I am convinced, that no one regrets more than his Excellency the President the outrages committed. I, moreover, believe that he would gladly punish the offenders, if he could convict them, but unhappily he cannot. A commission has been appointed to investigate and punish; but how can penal measures be taken against an entire people? With the exception of the wounded, I do not believe that forty persons, males, could be found in the Cape, who did not participate in the plunder. Who dare inform against another? There is a saying here in frequent use, '*pas faire ennemi*.' No one is so fearful of offending a person in authority as the Haitien, a fact easily accounted for by the history of the people, and their present military form of government. I know a *marchand* who has lost from ten thousand to twelve thousand dollars in goods. He knows well who are the chief pillagers of his house; he mentioned their names publicly; yet, now, while the commission is sitting, he dares not denounce them. National honor, public morals, call for a salutary severity, but the call will be in vain. If ever there was a clear

case for compensation to be enforced in favor of foreigners by their respective Governments, it is this — a town given up for ten days to plunder; and officers and soldiers, who should be the protectors of the community, the very plunderers!

"Persons who had been buried under the ruins eight, ten, and twelve days, were dug out, and many recovered and are now alive. One was thirteen days in that situation, and is now well. It is astonishing how they could support, I will not say the pangs of hunger, but those of thirst, for such lengths of time. Yet such is undoubtedly the fact.

"For some months preceding the earthquake an unusual drought prevailed. The heavy periodical rains which usually set in towards the middle or end of April did not visit us; and with the exception of a few insignificant showers, we had no rain for nearly four months. The temperature was unusually high for the time of year. For a month previously the mercury stood at 90 degrees Fahrenheit in the shade for several hours in the day. I even noticed it at 92.

"The town of Cape Haitien, which you used to call the paradise of Haiti, termed by the French *colons* 'petit Paris,' perhaps the most beautiful and regularly built in the West Indies, with all its fine public edifices, is now a heap of ruins. The rich plains to the south, whence the old French drew their wealth, and where they left, it was some little time ago supposed, enduring monuments of their magnificence, — mansions that might well be called palaces, — sugar-houses, and all the appurtenances for colonial culture, — these plains have felt the shock as severely as the Cape. All the old mansions and plantation structures, churches, gateways, and columns, have fallen. The rents in the earth are very numerous, and some very wide. In many places sand, resembling sea-sand, has been forced up in large quantities. These rents in the plains, as well as those in and around the Cape, run nearly in a north and south direction.

"It is reported that the village of Marabarou, at the mouth of the river Massacre, has altogether disappeared, swallowed up by the sea. A lake has been formed in a savannah near the ruins of the old city of Isabella. The road from Port-au-Plate to St. Jago has in many places sunk down to a depth of twenty feet. The mountain that rises over the village of Alta Mira has been terribly shaken, and immense masses have slipped down into the deep ravines at its base. I have spoken to a gentleman who was not far from Alta Mira, on his way to Port-au-Plate, when the shock took place. Himself and horse were both thrown on the ground, though the ground itself was neither rent nor permanently displaced.

"Every stone and brick house in St. Jago has fallen. The town was partially pillaged. In St. Domingo several churches have fallen, and all the houses are rent and torn, so as to be uninhabitable. The old church of La Vega, built by Christopher Columbus, is down. Port-au-Plate, consisting chiefly of timber houses, has not much suffered. Port-au-Paix has fallen, causing about two hundred deaths. Gonaives did not suffer greatly from the shock, but fires ensued, and destroyed a good deal of property. Little injury was done at Port-au-Prince, though the movement was strongly felt there."

## ATLANTIC STEAM NAVIGATION.

THE following table exhibits the length of time in which each passage across the Atlantic, between Halifax and Liverpool, has been made by the four steam-ships of the British and North American Royal Steam-packet Company. From this statement, it appears that the passage to Halifax gives 7.86 miles per hour, while that from Halifax to Liverpool, (influenced by prevailing winds and currents,) gives 9.3 miles.

The mean between these may be taken as the average speed obtained at sea, or what may be called the sea-rate. In this case the sea-rate is 8.58 miles per hour. It will be seen in our volume for 1837, p. 752, that the sea-rates of the *Atalanta* and *Berenice*, in those comparatively early days of steam navigation, varied from 6 to 9 1-2 miles, the average of all given being 7 1-2 miles. When it is considered that the passages of the British and North American line have been made across the stormy Atlantic, while those above quoted were at least two-thirds of them in moderate latitudes, there is every reason to congratulate the proprietors on the result.

*Passage to and from Liverpool and Halifax of the British and North American Royal Mail Steam-ships, from July 4th, 1840, to June 4th, 1842.*

Ship's names.	No. Voy.	Sailed from Liverpool.	Passage.			
			Out.		Home.	
1840.			D.	H.	D.	H.
Britannia,	1	July 4	12	10	10	0
Acadia,	1	Aug. 5	11	4	11	0
Britannia,	2	Sept. 4	11	1	11	3
Caledonia,	1	Sept. 19	12	9	10	22
Acadia,	2	Oct. 4	11	5	12	4
Britannia,	2	Oct. 20	13	23	11	7
Caledonia,	2	Nov. 4	11	23	11	21
Acadia,	3	Dec. 4	14	17	10	16
1841.						
Columbia,	1	Jan. 5	13	3	12	0
Britannia,	4	Feb. 4	15	9	12	0
Caledonia,	3	March 4	14	0	10	18
Acadia,	4	March 20	16	33	12	38
Columbia,	3	April 4	13	3	11	15
Britannia,	5	April 20	13	17	11	1
Caledonia,	4	May 4	12	6	10	18
Acadia,	5	May 19	11	23	10	15
Columbia,	3	June 4	10	19	10	7
Britannia,	6	June 19	12	5	10	2
Caledonia,	5	July 4	11	15	10	11
Acadia,	6	July 20	10	22	9	21
Columbia,	4	Aug. 4	12	23	11	1
Britannia,	7	Aug. 19	12	20	11	23
Caledonia,	6	Sept. 4	11	19	10	21
Acadia,	7	Sept. 10	13	11	11	3
Columbia,	5	Oct. 5	13	19	10	26
Britannia,	8	Oct. 21	14	4	12	6
Caledonia,	7	Nov. 4	11	20	11	23
Acadia,	8	Nov. 19	15	15	11	8
Columbia,	6	Dec. 4	14	17	11	17



1842.						
Britannia,	9	Jan. 4	14	12	11	3
Caledonia,	8	Feb. 4	p.	bk.		
Acadia,	9	Feb. 19	16	8	12	8
Columbia,	7	March 4	20	17	15	12
Britannia,	10	April 5	12	22	10	14
Caledonia,	8	April 19	13	21	10	18
Acadia,	10	May 4	14	18	10	8
Columbia,	8	May 19	11	22	9	17
Britannia,	11	June 4	11	17	10	10
Average Passage, by Chronometer: Out, 13 days 7 hours; Home, 11 days 3 hours						

## THE SMOKELESS ARGAND FURNACE.

THE following information in reference to this invention is taken from the Reports of the late Meetings of the British Association at Manchester:

William Fairbairn, Esq., "On the Combustion of Coal, and other Fuels, with a view of obtaining the greatest calorific effect, and avoiding the generation of Smoke." The subject of this communication was arranged under four heads, the last division being "The best method of working the furnace."

The report proceeded to detail the results of some experiments on the comparative consumption of coal in a furnace to which Mr. Williams's apparatus for the prevention of smoke had been applied, when that apparatus was at work, and when it was thrown out of use. Some of these first experiments appeared to be vitiated by the want of a perfect closing of the air-passages when the apparatus was not used. Further experiments were, consequently, tried with the air-passages open at one time, and at another closed by a brick wall. The result was, that the average consumption with the apparatus at work was 276 pounds per hour, and with the air-passages effectually closed, 308 1-2 pounds per hour; showing a difference of 32 1-2 pounds per hour in favor of Mr. Williams's plan, or a saving of rather more than ten per cent. The report stated, in conclusion, that there could not be the slightest doubt about the practicability of abating the nuisance of smoke, so much complained of in this and other districts.

Henry Houldsworth, Esq., said, that for six months past he had had practical experience of the working of Mr. Williams's patent, which he had applied to three different furnaces; and he could now say confidently, from the results of that experience, that, without any particular trouble or care of management, it would prevent, at the very least, three fourths of the smoke which was now made. He did not doubt that other inventions might be effectual when they were carefully managed; but he preferred Mr. Williams's, because of its extreme simplicity, depending as it did solely on the admission of air in a proper manner, without any of those mechanical contrivances, worked by some moving power, which

many other plans contained. There was one fact connected with Mr. Williams's patent, which he considered of some importance, which he would communicate to the section. He had that morning fitted up a contrivance for ascertaining the comparative temperature of flues under different circumstances, which had not previously been very satisfactorily ascertained. Mr. Williams had used a thermometer, inserted in a bar of iron, which was placed in a flue; but he (Mr. Houldsworth) was not satisfied with that plan, and had passed a copper wire through the flue from one end to the other. This was kept in a state of tension by a weight, and by its expansion or contraction, acted upon an index, which would give a very correct measure of the relative temperature. He had tried some experiments with it that morning, and had obtained very striking and important results. It had generally been supposed, that, when there was a perfectly red fire in the furnace, and when no smoke was generated, the admission of cold air at the bridge would do harm instead of good, by reducing the temperature in the flues. He had, however, tried the experiment that morning. After having the air-passages closed for some time, he had opened them when the coals on the fire were perfectly charred, and found an immediate and decided increase of temperature in the flue. The increase of temperature was certainly most striking if the air-passages were opened shortly after a large quantity of fresh fuel had been put on; but at all times he found there was an increase when the air was admitted, and a decrease when it was excluded. If any members of the Association would do him the favor to call at the works, he should have great pleasure in showing the apparatus and its working. Mr. Williams said, he was exceedingly glad to hear of Mr. Houldsworth's invention: a good pyrometer was very much wanted.

Henry Houldsworth, Esq. on a subsequent day said, that, since the discussion on this subject, he had made some careful experiments with the pyrometer which he then described, and the results were, in his judgment, exceedingly satisfactory and conclusive. These experiments were made upon a furnace fitted up according to Mr. Williams's patent, by putting three cwt. of coal upon the fire two different times, the fire being each time in the same state, and the temperature of the flue, as indicated by the pyrometer, being, in each case, about 700 degrees. On one occasion the air-passages were left open, in the other they were closed; in each case the experiment was continued for 100 minutes. In the experiment in which the passages were left open, the average temperature of the flue was about 1,100 degrees; in that in which the passages were closed, and Mr. Williams's apparatus thrown out of use, the temperature averaged only about 900 degrees. During the whole time of the former experiment there was an entire absence of smoke; during great part of the latter the flues were filled with smoke. Mr. Houldsworth exhibited a diagram showing, in a very striking manner, the results of his experiments. Mr. Fairbairn said, there could be no doubt whatever that smoke might be most effectually prevented, and, therefore, the public ought no longer to be subjected to the grievous nuisance which now too extensively prevailed.

## NEW PATENT COMPOSING MACHINE.

THERE was exhibited in London, at 110 Chancery-lane, about the middle of June, a new patent composing machine, which will, there can be little doubt, at no distant period, work an entire revolution in the composing portion of the printing trade. It is the invention of Messrs. Young and Delcambre, the inventors of a somewhat similar, but comparatively imperfect machine, described in the public journals about twelve months since. The machine itself has a great resemblance to a cottage piano, with the external frame-work removed. It has 72 channels, containing a complete font of type, under which are placed levers in connection with keys similar to those of the piano, each key having engraved on it its character, which corresponds with the channels above, in which the different letters are placed. As the letters are moved out of the channels by the action of the player, they slide through various curves on an inclined plane at the back of the machine, and fall to one point, where they are received into a spout and beaten forward to a composing-stick, or, as it is called by the machinist, a justifying box, by a very ingenious mechanical movement. The justifying-box is at the end of a receiving-spout, and the type is drawn into it in lines of the width of the page to be set up; and when the usual number of lines have been justified, the box is emptied into a galley in the way that the compositor empties his composing-stick. While this "setting up" of the type, as the printers term it, but which here is in reality "letting down," is going on, the channels are being fed by two boys. The rapidity with which this machine gets through its work may be judged of from the fact, that type equal to half a column of this (the Morning Herald) journal was justified in a few minutes less than an hour; that is, as fast as the reporter usually transcribes his notes. At this machine there are eight persons employed, three intelligent young women, and five boys. The first are alternately engaged two hours each in composing, justifying, and correcting. The same system obtains with the boys, one of whom turns the wheel before spoken of; two, as has been stated, fill the channels; and two distribute the type. A clever compositor will set up 2,000 letters in an hour, but the average is about 1,500 or 1,600 letters. The young women whom we saw compose at the machine have, as they stated to us, been learning for about three months; and the average rate at which they *justify*, for we observed that the composer was sometimes *too quick* for the justifier, is about 6,000 letters per hour. With nine or twelve months' practice they will very likely be able to compose at the rate of 8,000 or 9,000 per hour. The cost of composing by this machine was stated to us to be 2d. per thousand; and, from the rate at which the machine composed, and the wages which we ascertained were paid to those employed, we entertain no doubt that such is the fact. The movements of the machine are extremely simple and beautiful, and, the whole of it being composed of steel and brass, it will work for years without getting out of order. One of these machines works three sorts of type. The only objection that struck us was, that the constant friction of the letters down the brass

channels, after they are struck out by the action of the composer, must be injurious to the type. The machine was worked by *clean, dry type*; what would be the effect of working with the usual letter of a morning paper? — *London Morning Herald*.

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## GOA.

ANOTHER of the revolutionary changes, to which the Portuguese colonies have, during some years, been subject, has taken place at Goa. The Governor, Senor de Lima, has been compelled to resign. The causes of this act are thus stated :

It appears that the Governor of Macao having, in consequence of the disturbed state of affairs in China, asked for additional troops, the governor of Goa, in whom is vested the supreme power over all the Portuguese colonies of the East, expressed a wish to send thither a portion of a battalion of Europeans, whose presence in Goa was disagreeable to him. In order to get completely rid of them, he named their chief officer, Major Mascarenhas, to the situation of Governor of Timor, whither all those soldiers of the battalion, not required at Macao, were ordered to proceed. The battalion embarked on board the corvette *Infante Regente*, but soon exhibited the most unruly disposition, and declared that they had been enlisted to serve in India, and not in China, or the savage islands. Their insubordination induced the officer having command to come ashore, to impart the intelligence to the Governor, De Lima.

Upon the departure of that officer the soldiers seized the boat of the corvette and went also ashore. Confusion ensued; other troops were called on to move on Pangim, in order to quell the mutiny; but, after various parleys, and a long deliberation on the part of the council, the Governor, De Lima, against whose life some threats were stated to have been uttered, becoming highly alarmed, thought proper to resign his post. Another governor, *ad interim*, has been named in his stead; all was said to be tranquil at Goa at the time of the departure of the last mail. Senhor de Lima embarked with his family on board the corvette *Infante Regente*, and is now coming to Bombay, with the intention of proceeding to Europe. — *Bombay Gazette, May 9*.



## CHRONOLOGY.

## FOREIGN.

ST. PETERSBURGH, June 2. **THE WAR IN THE CAUCASUS.** It is now no secret, that Prince Czernitscheff himself takes the command in chief of the army in the Caucasus, to make an effort to overcome, with a very great superiority of force, the insurgents of Circassia and Abchasia. The contest, as it has hitherto been carried on, was evidently too much protracted, and cost the Russians too much blood without indemnifying them by a corresponding advantage. They have, indeed, always been victorious in the summer in this sanguinary warfare, but regularly lost every winter by surprise several of the forts erected in the extreme line of operations, and at the opening of every new campaign they have had to employ much time and labor to recover what they already possessed the year before. The Russians have undoubtedly confined the mountaineers within narrow limits, yet competent judges are of opinion, that if the same system of operations were continued, the war might last years more.

Two circumstances are supposed to have led to the resolution to endeavor to end the war at once by the employment of great masses of troops: the state of affairs in South Asia, and the death of Guz Bey, the most dangerous of the Circassian chiefs. Russia certainly cannot be an indifferent spectator of the events that are preparing in Central Asia, and yet all its enterprises in that quarter are paralysed, as long as it has an enemy always ready for action in the Caucasus.

Guz Bey, who is dead, was the most enterprising of all the Princes of the mountains, and the present chiefs, Mansor and Tschannazare, are said to be at variance, so that there seems to be a favorable opportunity to subdue them, to which the religious animosity of the Christian and Mahomedan tribes may contribute. Travellers from South Russia say, that there is a great movement of troops, and all are confident of success, especially because Czernitscheff, the Rus-

sian Blucher, is at the head, and Grabbe, who is thoroughly acquainted with the grand community, under him; nevertheless, the issue is problematical, for in such contests all calculations may be defeated by the slightest unforeseen accident, as happened in Perowski's ominous expedition. Meantime, to prevent the mountaineers from receiving any supplies of arms and ammunition, Russian ships strictly blockade the whole coast from Sinops (the seat of the English agents) to Anapa, Iekaterinodar, Kawkaskaja, and Stawropol, on the right bank of the Kuban. The Leghrans on the right bank of the Terek are no longer dreaded, but the Abchasians are said to have collected in the neighborhood of Sochunkule. Perhaps the Russians may succeed, by skilfully taking advantage of the ground, in isolating some of the tribes, and then they will have the game in their hands.

MADRID, June 17. The official Gazette announces this morning the formation of the new Ministry, on the basis we published last month.

General Rodil, Minister of War and President of the Council.

Count Almodovar, Foreign Affairs.

Zumalacarregui, Minister of Justice.

Ramon Calatrava, (Senator,) Minister of Finance.

Capaz, (Senator,) Minister of Marine.

Torrez Solanot, Minister of Interior.

DRESDEN, June 27. **THE ELBE.** In consequence of the long-continued drought, the Elbe is so low that our steamers cannot move; but the Bohemia steamer, drawing much less water, still continues to ply. Many ships with cargoes are aground; the Bohemian ships pass, but very lightly loaded; and our vessels laden with free-stone, which could meet with a good market at Hamburg, cannot come down the river. This gradual decrease in the water would have given a favorable opportunity to improve the navigation of the Elbe. The commissioners who are to meet may convince themselves by personal inspection that it is high time to make every exertion to remove the obstruction to the navigation

of this great German river, which is above 700 miles in length.

LONDON, June 30. **TREATIES BETWEEN GREAT BRITAIN AND TEXAS.** The ratifications of the long-pending treaties between Great Britain and Texas were exchanged at two o'clock on Tuesday, by the Earl of Aberdeen, Plenipotentiary of Great Britain, and the Hon. Ashbel Smith, Plenipotentiary of the republic of Texas. These treaties are three in number: A treaty of amity, navigation and commerce, a treaty undertaking mediation by G. Britain between the republics of Mexico and Texas, and a treaty granting reciprocal right of search for the suppression of the African slave trade. They were negotiated in 1840, and concluded in November of that year, by Viscount Palmerston and Gen. Jas. Hamilton. The powers to ratify the first two have been a considerable time in England, but their completion has been very properly delayed until the ratifications of the treaty granting the right of search could be simultaneously exchanged. By the treaty relative to Mexico, Great Britain offers her mediation between Mexico and Texas on the following condition:—Texas to assume £1,000,000 sterling of the public debt of Mexico, provided that state recognizes the independence of the new republic, and agrees to a satisfactory adjustment of the boundary line between the two countries. The proffered mediation of Great Britain between Mexico and Texas will, it is to be hoped, be productive of immediate peace between those countries.

**THE BRUCE MANUSCRIPTS.** Much interest is excited, among men of letters and oriental scholars more particularly, by the approaching sale of the above extraordinary collection, announced at auction in London. It is divided into three lots, classified as the Ethiopic MSS., the Arabic, and the Coptic. The first of these consist of twenty-five volumes, the second seventy volumes, and the third is a single MS. of seventy-six leaves of small folio of papyrus. The age of this MS. is not ascertained; but it is a gnostic work of the second century of Christianity, or the early part of the third. It was found in some ruins near Thebes, and its language, subject, and materials are equally unique. The language is the Saidic or Theban dialect of the Coptic, now obsolete, but which was that of the Pharaohs, and survived the period of the Persic and Grecian conquests. The col-

lection includes the Gospels, Epistles, and Acts of the Apostles, in Ethiopic; the Song of Solomon, in all the Abyssinian dialects, with a vocabulary to each; the celebrated Chronicle of Axum, and the History of Habbeh, in five volumes; as well as varieties of historical, religious, scientific, and poetical literature.

LONDON, July 1. **NEWSPAPER STAMPS AND ADVERTISEMENTS.** From a return laid before the House of Commons, it appears that, since the reduction of the stamp duty on newspapers in 1837, the number of newspapers published in the United Kingdom has been nearly doubled. In 1836, when the stamp was 4d. for each paper, the total number of stamps issued was 35,576,056; and in the year ending March 31, 1842, it had increased to 61,495,503. In the former year the amount of duty was £443,278, while in the latter it was £253,779, showing a gradual increase since 1837, when the duty was £217,480. The number of advertisements in 1836 was 1,432,612, and the duty £103,248; while in 1841 they had increased respectively to 1,778,957, and £128,318. The increase in the number of stamps issued has taken place chiefly on papers published in Great Britain, as will be seen from the following returns: Stamps for Irish papers in 1836, 5,144,582; in 1841, 5,986,639. English papers for the same years, 27,777,036 and 49,674,855. Scotch papers for the same years, 2,654,438 and 5,388,079.

**THE NIGER EXPEDITION.** Captain Walters, of the ship *William Canynges*, arrived at Bristol, on Monday last, from Cape Coast Castle, (west coast of Africa,) which place he left on the 22d of March, brings some interesting information respecting the Niger Expedition. The following is an extract from Captain Walters' report:

"The *William Canynges* sailed from Cape Coast Castle on the 22d of March. At Cape Coast Castle were her Majesty's ship *Madagascar* and the steam-packet *Wilberforce*, attached to the Niger Expedition. This vessel (*Wilberforce*) arrived on the 20th of March from the Island of Ascension, on her way to Fernando Po, whence she was to proceed, in company with the Soudan steamer, on a second attempt to ascend the Niger. With the exception of one case of dysentery, all on board the *Wilberforce* were in tolerable health.

"The *Wilberforce* brought accounts from the Island of Ascension as late as

March 10. At that time the island was healthy, and most of the invalids from the Niger Expedition had sufficiently recovered from fever to allow of their being invalided to return to England. One death had occurred among them while in hospital at Ascension.

"The Albert remained at Ascension, undergoing a refit.

"The Gold Coast had been visited lately by a swarm of locusts, which had done much damage among the corn, &c.

"The Ashantee Mission had been established under favorable circumstances, and the two princes, Quantamissah and Ausah, were residing with the Rev. Mr. Brooking, at Coomassie.

"Captain Stanley, late 2d West India Regiment, and Lieutenant Fairholme, invalided from the Soudan, passengers (per William Canynges) from Cape Coast.

LIVERPOOL, July 1. THE IRON STEAM FRIGATE GUADALOUPE. This beautiful vessel made an experimental trip to sea on Tuesday last. Several naval and nautical men were of the party on board. She left her moorings at the Sloyne shortly after 11 o'clock, and ran out about twenty miles beyond the Northwest Lightship. Her performances equalled the most sanguine expectations which had been formed. Under steam alone, she made ten knots an hour; and eleven to twelve under canvass and steam; thus establishing beyond doubt her excellent steaming and sailing qualities. Her armament consists of two 68-pounders, on pivots. These were fired, and, notwithstanding their heavy calibre, produced scarcely any shake in the vessel. Indeed, the naval men said that the vibration caused by the discharge of these huge guns was less than usual on board vessels. The whole party, naval and nautical men included, expressed themselves very much pleased with the speed and other qualities of the ship. The objects of the trip having been thus satisfactorily accomplished, the Guadalupe returned to her moorings in the evening.

The Guadalupe is the largest vessel yet built by Mr. John Laird, the celebrated iron ship-builder at Birkenhead. Her dimensions, as we last week stated, are 183 feet long and 30 feet 1 inch beam; the tonnage, 788. Her engines, of 150-horse power, are from the manufactory of Messrs. G. Forrester & Co., of Vauxhall-road, and are fine specimens of skill, ingenuity, and efficiency.

Yesterday afternoon the Guadalupe proceeded to sea. She cleared out for the Havana, but that is not her destination. A mystery is affected respecting her real one.

PARIS, June 29. THE FRENCH POST. A convention has been agreed on between the French and Neapolitan Governments for the transmission of passengers and letters direct from Marseilles to Naples. The conveyance of letters between these two cities now requires eight days, but by the new arrangement will be performed in five. The estafettes which ran between Naples and Marseilles during the reign of Joachim Murat performed the distance in five days.

PARIS, July 12. DEATH OF THE DUKE OF ORLEANS; Prince Royal and Heir-Apparent of the Crown of France. The following are the details of this calamity, as given in Galignani's Messenger: At 12 o'clock this day, the Duke of Orleans was to leave Paris for St. Omer, where he was to inspect several regiments intended for the corps of operation on the Marne. His equipages were ordered and his attendants in readiness. Every preparation was made at the Pavilion Marsan for the journey, after which his royal highness was to join the Duchess of Orleans at Plombieres. At eleven the Prince got into a carriage, intending to go to Neuilly to take leave of the king and queen and the royal family. This carriage was a four-wheeled cabriolet, or caleche, drawn by two horses a la demi-Daumont, that is, driven by a postilion. It was the conveyance usually taken by the Prince when going short distances round Paris. He was quite alone, not having suffered one of his officers to accompany him. On arriving near the Porte Maillot, the horse rode by the postilion took fright, and broke into a gallop. The carriage was soon taken with great velocity up the Chemin de la Revolte. The Prince, seeing that the postilion was unable to master the horses, put his foot on the step, which was very near the ground, and jumped down on the road, when about half-way along the road which runs direct from the Porte Maillot. The Prince touched the road with both feet, but the impulse was so great that he staggered and fell with his head on the pavement. The effect of the fall was terrible, for his royal highness remained senseless on the spot. Persons instantly ran to his assistance and carried him into a grocer's by

the way-side, a short distance off, opposite Lord Seymour's stables. In the mean time, the postilion succeeded in getting command over his horses, turned the carriage round, and came to the door of the house where the Prince was lying. His royal highness never recovered his senses. He was placed on a bed in a room on the ground floor, and surgical assistance was sent for. Dr. Baume, a physician in the neighborhood, was the first who came. He bled the royal sufferer, but this produced no good effect. The news of the accident was conveyed to Neuilly. The Queen immediately set out on foot, and the King followed her. His Majesty was to be at Paris at twelve o'clock, to hold a Council of Ministers. His carriages, which were ready, soon overtook their Majesties, who entered them, with Madame Adelaide and the Princess Clementine. They proceeded to the house into which the Duke of Orleans had been taken. He, by that time, was nearly lifeless. It may be easy to imagine; but it will be impossible for any one to describe, the grief of their Majesties and Royal Highnesses at the spectacle they beheld. Dr. Pasquier, junior, the Prince Royal's first surgeon, had just arrived. Soon afterwards the Dukes d'Aumale and Montpensier came from Courbevoie and Vincennes. Dr. Pasquier was very soon compelled to announce that the case was of the most serious nature, for every symptom showed that there was an effusion on the brain, and every minute the evil seemed to increase. A few words pronounced by the Prince in the German language gave a momentary hope, but this as quickly vanished. Marshal Soult, Marshal Gerard, the Ministers of Justice, Foreign Affairs, the Interior, the Marine, Finances, and Public Works arrived, and were admitted into the death-bed chamber of the royal duke. The Chancellor, the Prefect of Police, Generals Pajol and Aupick, with the officers of the households of their Majesties and Princes, hastened to the spot, and remained outside the house in a space kept clear by sentinels stationed around. At two o'clock, as the case became more and more desperate, the King sent for the Duchess de Nemours, who had remained at Neuilly. She came, attended by her ladies in waiting. No pen can paint the afflicting scene presented by the chamber when the Duchess de Nemours came, and added her tears to the rest of the fam-

ily. The Queen and Princesses were on their knees by the bedside, praying and bathing with their tears the hands of their departing son and brother, so intensely beloved. The Princes were speechless, and sobbing almost to suffocation. The King stood by, silent and motionless, watching, with painful anxiety, every fluctuation in the countenance of his expiring heir. Outside the house the crowd continued every minute to increase, every one overwhelmed with consternation. The Curé of Neuilly and his clergy immediately obeyed the King's summons, and came to Sablonville. Under the influence of powerful medicaments the agony of the dying Prince was prolonged. Life withdrew but very slowly, and not without struggling powerfully against the utter destruction of so much youthful strength. For a moment respiration became more free, and the beating of the pulse was perceptible. As the slightest hopes are grasped at by hearts torn with despair, this scene of desolation was interrupted by a momentary calm, but the gleam soon passed away. At four o'clock the Prince showed the unequivocal symptoms of departing life, and in another half-hour he rendered his soul to God, dying in the arms of his King and father, who, at the last moment, pressed his lips on the forehead of his lost child, hallowed by the tears of his afflicted mother, and the sobs and lamentations of the whole of his family. The Prince being dead, the King drew the Queen into an adjoining room, where the Ministers and Marshals assembled, threw themselves at her feet, and endeavored to offer her consolation. Her Majesty exclaimed, "What a dreadful misfortune has fallen upon our family, but how much greater is it for France!" Her voice was then stopped by her sobs and tears. The King, seeing Marshal Gerard absorbed in grief, took his hand, pressed it with an expression showing his sense of his bereavement, but, at the same time, a firmness and magnanimity truly royal. The mortal remains of the Prince were placed on a litter covered with a white sheet. The Queen refused to get into the carriage, declaring her resolution to follow the corpse of her son to the chapel at Neuilly, where she wished it to be carried. Consequently, a company of the 17th Light Infantry was hastily marched down from Courbevoie to line the procession on each side, and thus those brave men



who had shared with the Prince Royal in all the dangers of the passage of the Iron Gates and the heights of Mouzaia, in Africa, served as the escort of his now lifeless body. Several of the men wept, and called back to their minds the brilliant valor with which the Duke of Orleans had assailed the enemy, and, at the time, the mild and delicate beneficence with which he had ever tempered the necessary rigor of command. At five o'clock the mournful procession moved towards the chapel at Neuilly. General Athalin walked at the head of the bier, which was carried by four non-commissioned officers. Behind followed the King, Queen, Princess Adelaide, Duchess de Nemours, Princess Clementine, Duke d'Aumale, and Duke de Montpensier. Then came Marshals Soult and Gerard, the Ministers, the General Officers, the household of the King and Princes, and an immense number of other persons. The sad and solemn procession moved along the Avenue de Sablonville, and, crossing the old Neuilly road, entered the royal park, and traversed its whole length to the chapel. Here their Majesties, and Princes and Princesses, after prostrating themselves before the altar, left their beloved child and brother under the guardianship of God. In the evening the Royal family remained in seclusion, except that the King conferred with his ministers. At 7 o'clock M. Bertin de Vaux, one of the deceased Prince's orderly officers, and M. Chomel, who was his Royal Highness's first physician, set out for Plombieres, where the Duchess of Orleans was taking the waters. Amidst all their own affliction, during this disastrous day, the thought of the deprivation sustained by this unfortunate Princess was never out of the minds of her Royal relations, and her name was repeatedly invoked in their lamentations. At length it was resolved that the Duchess de Nemours and the Princess Clementine should go to her with letters from the King and Queen. Their royal highnesses commenced their journey at 9 o'clock, attended by Mademoiselle Angelet and General de Rumigny. A courier was despatched to the Duke de Nemours, and another to Toulon, with orders for a steamer to be despatched to the coast of Sicily, where it is believed the squadron of Admiral Hugon now is, and, consequently, the Prince de Joinville will be found.

The Duke of Orleans was born at Pa-

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lermo, on the 2d of September, 1810, showing him to have just reached the age of 32 at his death. His mother, Marie Amelie, the present Queen of the French, is daughter of Ferdinand, King of the Two Sicilies, and whom Louis Philippe espoused at the time that he was wandering abroad as plain Duc d'Orleans.

The departed duke was one of a family of seven children, to whom Marie Amelie has ever been warmly attached. The Duke de Nemours, Louis Philippe's second son, was born at Paris, on the 25th of October, 1814.

The duke married, on 30th January, 1837, a princess of the house of Mecklenburg Schwerin. The marriage was celebrated at the Palace of Fontainebleau and in the splendid gallery of Henry the Second. By this lady his royal highness has left two sons, the Count of Paris, born August 24, 1838, and the Duke of Chartres, born November 9, 1840.

LIVERPOOL, July 13. The greatest triumph of steam navigation yet accomplished was achieved by the British and North American royal mail steamer Columbia, which made the voyage from Boston to Liverpool (including a stoppage of several hours at Halifax), in 11 days and 12 hours. The Great Western, too, made a splendid run across the Atlantic. She sailed from New York on the same day that the Columbia left Boston, and, notwithstanding a deviation of 200 miles to the south to avoid the ice, made the passage to Bristol in 12 days and 12 hours. She had on board 99 passengers.

TEXAS, July 21. Congress adjourned, having passed a bill authorizing offensive war against Mexico. This bill, however, was vetoed by the President, on the ground that the Republic had no means to support such a war, and that Congress had no constitutional power to pass such an act.

#### DOMESTIC.

PENNSYLVANIA. The legislature adjourned on the 26th of July *sine die*, after its extra session, which had been held for the purpose of dividing the state into districts for the choice of members of Congress. The two Houses had great difficulty in agreeing with each other upon any plan for this purpose, and it was not till the 23d of July, that upon the report of a committee of conference, a bill was passed. The legislature also adopted some measures for raising a tax for the

payment of debts now due to contractors and other persons who have performed labor on account of the public works. It failed, however, to provide for the interest due on the public stocks on the 1st of July.

After the adjournment, it appeared that Governor Porter did not approve of the districting bill, and had withheld from it his signature. A circular was addressed to the sheriffs of the different counties, informing them of this fact, so that no elections for members of Congress can be held this year in Pennsylvania. The duty of devising a scheme for the districting of the state will devolve upon the next legislature, at its regular session next winter.

At this session, the committee on education, appointed to "inquire into the expediency of making such an amendment to the school law, as will provide for raising an amount of tax in each school district, equal to the state appropriation for common schools in the said district," made a report, from which it appeared, not only that the greater proportion of the sum appropriated for the support of education by common schools, &c. in the commonwealth, is raised by a mode equivalent to direct taxation, but that the distribution is very unequal in several counties, in proportion to their contributions.

A tabular statement annexed to the report shows that the whole amount appropriated to colleges, academies, and female seminaries in the state, is \$51,900, and to common schools, \$393,197, making in all \$448,097. Deducting from this sum, \$68,197 for non-accepting districts, the actual appropriation is \$379,900.

"The table also exhibits the remarkable fact, that in thirty-four counties, the appropriation for school purposes exceeds the whole amount of state tax assessed in those counties, in the sum of \$75,278, being in some of them double and even treble the amount. The other counties, of course, pay the excess. Unless, therefore, the taxation and distribution can be more nearly equalized, it would appear that the latter must be exceedingly unjust."

The committee recommended that each district be allowed to provide for its own means of education, until a fund can be created for the purpose.

The average time, through which the schools were kept open in 1841, was 5 months and 7 days.

RHODE ISLAND, Aug. 8. Governor King issued a proclamation to the people announcing that in order to enable the people to proceed without restraint in the discharge of the important duties soon to come before them in the choice of delegates to the convention for the preparation of a new constitution, [see Mon. Chron. p. 235,] martial law would be suspended until the first of September. In an address published at the same time, he congratulated the citizens of the state "on the fortunate termination of the late dangerous crisis," and thanked them for the prompt manner in which they assembled in arms for the support of their government. He stated that no arrests had recently been made under martial law, and that no persons were then detained by its authority. At the same time he warned the military of the necessity of their holding themselves in readiness to obey promptly any call made upon them by the proper officers.

#### ELECTIONS.

ILLINOIS, August 1. The election in this State for officers of the State government took place. Governor Ford, the democratic candidate, was reelected by a majority of about 7,000 votes over Mr. Duncan, his Whig competitor. There will also be as heretofore a Democratic majority in both branches of the legislature. By the constitution of this State the Governor and Senate are chosen for four years, the House of Representatives once in two years.

ALABAMA, August 1. The election in this State for members of the State Assembly took place. The result was a decided Democratic majority, as in the past year. By the constitution of this State, the Assembly is chosen annually, the Governor for a term of two, and the Senators for a term of three years.

KENTUCKY, August 1. The election for members of the State House of Representatives took place. The result was the election of a decided Whig majority, as the past year. Independently of political divisions, however, the State was divided between parties which styled themselves Relief and Anti-Relief men, the former having for their object some temporary amelioration of the laws of attachments, and similar measures which they suppose may relieve the pecuniary embarrassments of the times. They appear to have elected a small majority of

the members. By the constitution of this State the members of the Assembly are chosen annually, the Governor and Senators for terms of four years.

INDIANA, August 1. The election for members of the State House of Representatives and of Senators in place of those whose terms of office expire this year took place. The result was a Whig Senate and a Democratic House. The Senate last year was Whig, 28 to 21; the House Democratic, 54 to 46. By the constitution of this State, the Representatives are chosen annually, the Governor and Senators once in three years, one third of the Senators retiring each year.

MISSOURI, Aug. 1. The election in this State for members of the House of Representatives of the state took place. The result was the election of a House, a large majority of which was of the Democratic party. The character of the last House was the same. By the constitution of this State, the Representatives are chosen once in two years, the Governor and Senators once in four years.

NORTH CAROLINA, August 4. The election in this State for officers of the State government took place. Governor Morehead, the Whig candidate, was re-elected by a majority of about 4,000 votes over Mr. Henry, his Democratic competitor. A Democratic legislature was chosen, there being a majority of that party both in the Senate and in the House of Commons; in the last legislature the Whigs had the majority in both branches. By the constitution of this State the Governor and Legislature are chosen for terms of two years.

#### UNITED STATES CONGRESS.

The last month has witnessed the completion of most of the measures of the second session of the twenty-seventh Congress. The session was prolonged to an unusual extent, but notwithstanding the heat of the weather, the amount of business transacted during the month is very large, larger than has been usual at any period of a session.

No final action was taken on the resolution reported by a select committee on the President's qualified approbation of the apportionment bill, [see p. 335.] The House, with which that committee originated, and by whom the expression of opinion contemplated in the resolution would have been made, took up the resolution and debated it once

or twice, without, as we have said, any final action.

The appropriation bills, to which we have already alluded as being delayed by the disagreement of the two branches on their details, [see pp. 288 and 336,] were finally so arranged by committees of conference as to pass both branches. The Naval Appropriation passed in both Houses, on the 30th of July. The Army Appropriation passed the Senate on the 1st, and the House on the 16th of August. The contingent appropriation bill, which provided in detail for all those branches of the civil service which have hitherto been ranked under a head of "contingencies" or "miscellanies" in the civil appropriation bill also had its final passage on the 24th of the month. This miscellaneous item had been struck out from the civil appropriation bill on its passage, [see p. 240,] on the ground that such an appropriation of money led to a tax and imprudent expenditure of it. All the appropriation bills, as finally arranged by the two Houses, make a considerable reduction of the government expenses from the basis of last year, and from that at first proposed by the several executive departments, and the committees of the House.

The bill for a new organization and reduction of the army, introduced into the Senate, [see p. 287,] so that there might be some regularity in the reduction of the expenses of the army, which had been made necessary by the change of the army appropriation, passed the House on the 16th, in a form reported by a committee of conference. This committee had been appointed in consequence of a disagreement between the two branches on the provisions of this bill. In all of its several disagreements with the Senate, the House desired to carry out the reductions in the several branches of the public service to a greater extent than the Senate thought expedient, and they were arranged on a conference in every instance, by the surrender by each branch of a part of the clauses on which it had disagreed.

The desire for a retrenchment of government expenses took another form in the House. In the latter part of July, Mr. Arnold of Tennessee introduced a proposal for the reduction of the mileage and per diem of members of Congress, and of the pay of some other officers. The proposal excited debate, and numerous pro-

jects for amendment, and was finally on the 28th of July referred with the amendments to a special committee. This committee, on the 30th, reported a bill reducing the per diem two dollars, reducing the mileage and deducting from the salaries of all officers of government who receive more than \$1,000 twenty-five per cent. of their salaries, and deducting fifteen per cent. from those who receive smaller amounts. This bill was referred to committee of the whole, and thus ended for the time a debate which had occupied several days. No final action has ever been taken upon it.

In the Senate, Mr. Walker asked leave on the 1st of August to introduce a bill, reducing the term of residence necessary for the naturalization of an alien from five to two years. The Senate, however, refused to grant leave, and there this subject rested.

The war against the Indians in Florida being nearly, if not quite ended, the bill for the occupation of that peninsula by armed settlers was pressed through, in order to encourage such settlements as might restrict the ravages of the few Indians yet remaining there. The bill originated in the Senate; some time since it passed the House in an amended form, and the Senate concurred in these amendments, and passed the bill on the 1st of the month.

A bill regulating enlistments in the army and navy also passed the Senate on the 30th of July. Its most prominent provision was one prohibiting the enlistment of any colored persons, either slaves or freemen, into either service. This bill went through its preliminary stages in the House, but no final action on it was taken.

The Senate also passed a bill providing for the reorganization of the Navy Department. It was believed that this bill, although making a slight increase in the expenses of the management of the department, would produce great economy in the different branches of the service. It abolished the Board of Navy Commissioners, substituting for it several bureaux, by a plan similar to that now in operation in the war department. These are the bureaux of navy yards and docks, of construction, equipment and repairs, of provisions and clothing, of ordnance and hydrography, of medicine and surgery. This bill passed the Senate on the 6th of August.

Several other bills passed the Senate

with the object of improving the condition of the Navy. Such were a bill providing that the Secretary of the Navy may put officers on half pay at his pleasure, if the good of the service seem to him to require; the bill providing for a naval academy for midshipmen; a bill providing for deficiencies in the navy pension fund, which had also passed the House, and after some amendments in the Senate, became a law. One or two similar bills were acted upon in the House. We have named all of importance, however. The House showed a similar disposition to improve the organization of the Navy, and the bill for the remodelling of the department, and many of the other bills, became laws, after discussion in that body.

In the House, a bill providing for the organization of the House at the opening of every Congress, was discussed and passed on the 6th of August. It provides that every officer, authorized by the respective state laws to make the final canvass of votes for representatives to Congress, shall make returns to the clerk of the House; and that that officer from such returns, or in default of such returns, from such information as he can collect, shall make out the list of the members to be used in organization; *but* if any members be returned in such manner as to contravene the provisions of the recent apportionment act, [see p. 287,] their names shall not be placed upon such list, and they shall not vote in the organization of the House.

The Senate made some material amendments to the bill, and passed it on the 29th of the month. These amendments affected the application of the bill to all the representatives to the next Congress, granting an exemption in behalf of states whose legislatures had no opportunity of amending the present system of districts. They met with some opposition in the House, but, on the 30th, after an arrangement made by a committee of conference, the bill passed. This bill, however, failed of becoming a law, for want of the signature of the President, it being presented to him on the last day but one of the session, and not being reing returned by him to the House in which it originated.

On the 12th of August, the House ordered the fortification bill to be engrossed. This bill appropriated about \$250,000 to such expenses of the year 1842 as were necessary for repairs. In view of the possibility of an alarming deficit in reve-



nue, however, the House then laid the bill on the table, that if, before the end of the session no revenue bill should pass, the treasury might not be burdened with this demand. After the tariff had passed the House, however, this bill was taken up again, and passed on the 25th of the month.

A great number of private bills, granting to different claimants on Government the amount of their demands, passed in the course of the month. There were also several public bills, which are not of such interest in themselves, and did not excite such attention in Congress as to need mention here.

The great centre of interest in the Congressional and Executive proceedings through the month was the action on the revenue bill. This bill, which had already passed the House, [see p. 336,] was debated at length in the Senate, where all its details were examined and discussed. All the amendments proposed in the Senate, both by the committee on finance, and by individual members, were rejected, and the bill passed the upper branch in the same form as it had passed the House, on the 5th of August. The vote upon it was 25 to 23; there were two members absent, and two vacancies, Tennessee being unrepresented in the Senate through the whole session. The bill was signed by the proper officers of the Senate and House, and sent to the President on the 6th.

On the 9th of the month, he returned it with his objections, to the House, the branch in which it originated. The veto message began by expressing the regret which the President felt at being obliged to exercise his constitutional prerogative, in thus arresting the passage of this bill. He reminded the House, however, that the exercise of some independence of judgment in regard to all acts of legislation, was plainly implied in the responsibility of approving them. The duty of such an exercise of judgment became most solemn in a case where such complex and various interests were at stake as those involved in the revenue bill.

He proceeded to remind the House that his recommendation of a distribution among the states of the proceeds of the land sales, in his message at the opening of the extra session, [see Mon. Chron. Vol. II. p. 328,] was made under the impression, received from Mr. Ewing's treasury report, that the revenue under the compromise tariff would be sufficient

for the government expenses, with such additions of duties below 20 per cent. as Mr. Ewing proposed to Congress to make, and that he only recommended that distribution in case those impressions as to the amount of revenue were realized; that, with a similar view, apparently, Congress had passed the distribution act, [see Mon. Chr. Vol. II. p. 384,] with a clause providing for its suspension in case of any augmentation of duties above 20 per cent. ad valorem.

The anticipations on which the bill was founded were not realized. It appeared soon after its passage, that the financial embarrassments of the country would greatly reduce the revenue, and the President had felt compelled, therefore, to recommend an increase in the rates of duties, [see Mon. Chron. Vol. II. p. 503, Vol. III. p. 144,] and a restoration of the land fund to the national treasury, [see p. 192.] He had communicated these opinions to Congress, in the hope of preventing any collision between the legislature and the executive. In that hope, however, he was disappointed, by the passage of the provisional revenue bill, [see p. 287,] which he had consequently been obliged to disapprove. In the message accompanying it on its return, he had stated that he regarded it as an indispensable requisite to an increase of duties above twenty per cent., that the provision of the distribution act, as it passed, should remain unchanged.

This requisite was not contained in the revenue bill, which had just passed Congress. He was therefore obliged to return it to the House.

His reasons, besides such as he had urged in his former Message, were three.

First. He thought the bill united two entirely incongruous subjects. It was both a revenue bill and an appropriation bill. The custom of uniting in the same bill dissimilar subjects was destructive of wise legislation, and imposed an improper restraint on the Executive.

Second. He thought it wrong to turn from the Treasury any available funds at the present time, when it was nearly exhausted. Here the President presented an exhibit of the state of the Treasury on the 5th inst., showing that there was then an available amount for current expenses of only \$970,000, while there were requisitions of the Navy Department to the amount of \$1,414,000 yet unpaid. To replenish this treasury and meet requisitions from the army department and the

civil list, there was only about \$100,000 of unissued treasury notes, and the weekly income of about \$150,000. The withdrawal of the land money, therefore, embarrassed the treasury seriously, while it gave the states but little relief; and he feared that Government might be reduced to the melancholy necessity of selling its stock much below par in order to meet its obligations.

Third. He thought that the union of the subjects of tariff and distribution was a serious evil, because it made the tariff necessarily uncertain, and the prey to every change of political parties. This would be the greatest injury to the manufacturer and merchant, as well as to the Government.

The President next reminded Congress of the small amount of money to be realized by the land sales, and concluded by saying that he did but call on Congress to reconsider the subject of the revenue, as, if the bill passed again by a vote of two thirds, it would become a law notwithstanding his objections.

The Message was read in the House on the day when it was sent in, and its consideration postponed till the next day. On the 10th, Mr. John Quincy Adams moved its reference to a select committee of thirteen, and supported his motion in a speech, in which he condemned the conduct of the President in strong terms. A point of order was raised as to the propriety of the proceeding which he suggested, but this was not sustained, and the message was referred as proposed, by a vote of 108 to 84; the bill being laid on the table. Mr. Adams was made chairman of the committee.

On the 16th, this committee presented their report. They began by saying that the Veto Message was the last of a series of Executive measures, the result of which was the defeat and nullification of the whole action of the legislative authority of the Union upon the most important national interests. They proceeded to a review of the proceedings of Congress from its first meeting at the extra session; they touched on the distresses of the nation at the time of President Harrison's accession, and on the wants of government; and said that the Administration had been changed by the popular sentence, that Congress and the Executive might substitute true principles for those which had brought the country to wretchedness and shame.

When the Congress thus chosen met,

by an inscrutable decree of Providence, a successor had assumed the title of the President of the people's choice, who, though professing the same views with his predecessor at the time of his election, entertained totally different principles, which were soon disclosed in diametrical opposition to the sentiments of Congress. This opposition was first disclosed in the failure to establish a National Bank, which led to an improper bending of Congress before the Executive, which was, in the theory of the Constitution, subject to it. A second bill, framed after such a concession to meet his views, met the same fate with its predecessor, though the President had pledged himself to sign it; and, say the committee, it is remarkable that the reasons assigned for the refusal to approve the second bill are in direct and immediate conflict with those which had been assigned for the refusal to sign the first.

The committee proceeded to sketch the first consequence of these vetoes, as not only prostrating the efforts of the legislature for the relief of the people, but leaving all the burdens and embarrassments of the public treasury bearing upon the people with aggravated pressure. The last Administration had left a deficit in the treasury, while a regular reduction of revenue was in progress, which would become most serious if not checked within fifteen months, by direct legislation. By the double exercise of the veto, that legislation was prevented, and consequently the deficit already existing was greatly increased.

At the regular session of Congress, however, the majorities of both Houses, not yielding to the discouragement of such circumstances, renewed their efforts to sustain the treasury and the national obligations. The necessary investigations for this purpose occupied so much time, that they could not be finished before the last reduction of the compromise act would go into effect, and as a temporary expedient, therefore, the majority of Congress provided and sent to the President a bill, limited in its operation to one month, during which, to avoid, as they thought, the possibility of collision with the apprehended antipathies of the President, they had suspended for the same month the distribution of the proceeds of the land sales. The bill was rejected, and in total disregard of the avowed opinions of his own Secretary of the Treasury, concurring with those of nearly all

the lawyers in Congress, in solitary reliance upon the hesitating opinion of the Attorney-General, the President resolved to rely upon the validity of a home valuation of merchandise, to be made under regulations prescribed by the Treasury Department, as the basis of all duties on imposts, when the law expressly requires such valuation to be made, in conformity with such regulations as shall be prescribed by law. To this act the President had now added the veto of a necessary system of revenue, on the ground that it was coupled with the continuance of the land distribution. The committee proceeded to consider the argument by which this veto was defended. After bitterly commenting on its introduction, which expresses the President's view of the veto power, and comparing it with others of his lately expressed opinions, they expressed surprise, that when he had himself recommended a distribution of the land proceeds "*coupled*" with the 20 per cent. condition, his first and paramount objection to the tariff should be that it united those two subjects. If this bill was both a revenue and appropriation bill, so was the land act, which he had approved. They proceeded to a short exposition of the disadvantage and impropriety and injustice of using the land proceeds as revenue, and thus passed to the President's second reason, which they declared futile, as these proceeds were and ought to be the property of the people, and if the principle was once established that they were to be *given away* for ever to pamper the reckless extravagance of a government for ever preaching retrenchment and economy, and for ever heaping million upon million of annual expenditure "to suckle armies and dry nurse the land," never more would the people of any state in the Union have the benefit of one dollar from them. The committee continued this view by an exhibition of the present distressed condition of the state treasuries.

They closed by saying that, as it was impossible to pass the bill by the majority of two thirds required to make a law in opposition to the wish of the President, — as a resort to impeachment, which they believed fully justified by the state of the case, would under existing circumstances prove abortive, — the majority of Congress should express their opinion of the constant abuse of the Executive Veto, by a resolution providing for the amendment of the clause of the constitution re-

lating to it. They suggested that for the words "two thirds" in the 2d paragraph of the seventh section of the constitution, the words "a majority of the whole number" be substituted.

This report was signed by nine of the committee. Mr. Adams, by leave of the House, read it himself. Mr. Gilmer then read a minority report, signed by himself, approving the course of the President, and Mr. Ingersoll read another signed by himself and Mr. Roosevelt, the other democratic member of the committee.

The next day several propositions for a revenue were submitted to the House, but failed to gain its support. The vote on the vetoed bill was again taken up, and the House divided 91 to 87, and as two thirds did not support it, it was accordingly lost. The select committee's report was accepted, 100 to 80, but their resolution for an amendment to the constitution was lost, 98 to 90, not two thirds. For two days the House was occupied in the consideration of revenue projects, framed with the design of meeting the views of the President, but none of them proved acceptable.

On the 21st, however, the House, in committee of the whole, being engaged in the consideration of a bill to legalize the rates of duties now collected under the treasury circular relating to the compromise law, Mr. McKennan moved to strike out all after the enacting clause, and insert the vetoed bill so changed as to omit the land proviso, and to leave tea and coffee free of duty, when coming from beyond the Cape of Good Hope. This motion prevailed, and in this form the bill passed the House on that day, yeas 105, nays 103. The bill united in its favor the votes of 82 Whigs, of 20 democrats, and of 3 Administration men. It was opposed by 65 Democrats, 35 Whigs, and 3 Administration men.

The Senate amended the bill in a number of particulars, mostly unimportant, and passed it on the 27th, by a vote of 24 to 23. It united in its favor the votes of 20 Whigs and 4 Democrats, against 15 Democrats and 8 Whigs. On the 29th, the House concurred in the amendments without a division, and the bill was at once sent to the President. He returned it the next day with his signature, and a message *protesting* against the report of the committee of the House. He had, he said, in *vetoing* the last bill, only done what he considered to be his consti-

tutional duty, with all respect, caution, civility, and deference to Congress. He was surprised, therefore, at the course of the House in relation to it. He had been tried and condemned by the select committee and the House without a hearing, and that too where there was a constitutional method of trying him by an impeachment before the Senate. He protested against this course as "ex parte and extrajudicial, as subversive of the common right of citizens to be condemned only on a fair and impartial trial, as destructive of all comity of intercourse between the Departments, and destined to lead to a conflict fatal to peace and the constitution, as a proceeding tending to the utter destruction of the checks and balances of the constitution, and accumulating in the hands of the House of Representatives, or a bare majority of Congress for the time being, uncontrolled and despotic power." He closed by asking that this Protest might be entered on the journal as a solemn and formal declaration, for all time to come, of the injustice and unconstitutionality of such a proceeding.

The protest was received on the last day but one of the session, and the House did not stop to discuss the proper proceeding upon it. The President's closing request was declined, and the House passed at once the following resolutions, by the votes which we have annexed to them respectively:

1. Resolved, That while this House is and ever will be ready to receive from the President all such messages and communications as the constitution and laws and the usual course of public business authorize him to transmit to it, yet it cannot recognize any right in him to make a formal protest against votes and proceedings of this House, declaring such votes and proceedings to be illegal and unconstitutional, and requesting the House to enter such protest on its journal. (Yeas 87, nays 46.)

2. Resolved, that the aforesaid protest is a breach of the privileges of this House, and that it be not entered on the journal. (Yeas 86, nays 48.)

3. Resolved, That the President of the United States has no right to send a protest to this House against any of its proceedings. (Yeas 86, nays 53.)

These resolutions were thought to have

additional force, from the circumstance that they were the same resolutions that were passed by the Senate in 1834, when President Jackson sent a similar protest to that body. Mr. Tyler was then a member of the Senate, and voted for the resolutions.

The dominant party in the House was unwilling to have it supposed, from its action on the tariff, that it surrendered the principle of the distribution of the land proceeds. On the 25th of <sup>the</sup> month, therefore, a bill was introduced, repealing the much contested 20 per cent. proviso, and this bill passed on the next day, 104 to 56. It passed the Senate on the 29th, 23 to 19. This bill, the effect of which would have been to continue the land distribution, notwithstanding the excess of duties on imports over 20 per cent., was not returned by the President to the House in which it originated, and it consequently failed to become a law, as Congress adjourned on the day after its passage.

On the 20th of August, a letter from the Secretary of the Treasury was laid before the House. It asked for leave to issue treasury notes to the amount of so much of the twelve million loan as had not been taken. The House referred it to the committee of ways and means. That committee, on the 25th, reported a bill authorizing the issue of six millions in such notes, in place of an equal amount of the loan, provided that that loan could not be negotiated at par. This bill passed the House on the 29th.

The "Remedial Justice Bill," (see p. 336,) passed the House on the 25th, received the signature of the President, and became a law.

Early in the month the House passed a resolution for the adjournment of Congress on the 22d. When this resolution came up in the Senate, the condition of affairs was so unsettled, that that body laid it on the table. Subsequently, on the 29th, after the tariff bill had passed, the Senate took it up again, amended it by substituting the 31st as the day of adjournment, and in this form it passed both branches.

The two Houses adjourned accordingly on the 31st, at 2 P. M., after the most prolonged, exciting, and fatiguing session ever held by Congress.